THE DAILY CONSTITUTION

ATLANTA, GA.

TUESDAY MORNING JANUARY 8, 1878

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GOLD opened in New York yesterday at 100⅝ and closed at 100⅝

COTTON, middling uplands, closed yesterday in New York at 11¾c in Liverpool at 6⅝.

ACQUITTAL OF BULLOCK.

FULTON SUPERIOR COURT JUDGE GEORGE HILLYER, PRESIDING.

Arguments of Counsel in the Bullock Case—Excellent and Able Charge from the Court—A Verdict of "Not Guilty."

The entire day yesterday was taken up by the arguments of counsel. Attorney General Hill spoke for the State, and was followed by Judge McCay and Geo. Gartrell for the defense. Col. Willis A. Hawkins, of Americus, closed for the state in an able address, which was finished at 10:30 p. m.

CHARGE OF THE COURT.

Judge George Hillyer then delivered the following able charge, upon the law of the case to the jury:

GENTLEMEN OF THE JURY: It is provided in the law that (here read section 4421.) If the jury believe from the evidence that the prisoner was at the time in question governor of this state, and had in his custody, either in person or by another, a certificate of the kind and description contained in the indictment, and for the purpose therein stated, and that the same was property of the state and did in this county and within the statute of limitations as presently explained, on the occasion in question, embezzle, steal and fraudulently take and carry away said certificate, with intent to steal the same, the offense would be made out under this indictment, otherwise it would not be made out. (Read sec 4393.) Before you can convict under this indictment you must be satisfied from the evidence that the certificate in question was in the custody of the prisoner. This need not be a personal holding or keeping of it by him; custody for him by a subordinate would be sufficient, but it must be with the actual personal knowledge of the prisoner. This knowledge may be shown either by express proof or implied from circumstances. If this paper in question was deposited in the executive department with an agent of state or office employed therein, other than the prisoner, and the prisoner did not know it was there, and did not know that by the terms of the transaction he had custody and control over it, he could not be convicted under this indictment. But if under the evidence the jury believe that the certificate in question was deposited in the executive department, under control of the prisoner, and that in reality the prisoner did know it was there for the purposes stated whether actually held by him, or by another for him, this would be a sufficient deposition by with him and entrusting of said certificate to him within the terms of the law.

Before you can convict the prisoner under this indictment, you must be further satisfied from the evidence that the prisoner did himself steal, embezzle and fraudulently take and carry away the certificate in question with intent to steal the same. A person may be guilty of an offense, as a principal, in one or two degrees. A principal in the first degree is he who is the actor or absolute perpetrator of the crime. A principal in the second degree is he who is present aiding and abetting the act to be done; which presence need not always be an actual standing by, within sight or hearing of the act, but there may be also a constructive presence.

In this case you cannot find the prisoner guilty as a principal in the second degree, no matter what the proof may be, because he is not indicted. In this case the prisoner is indicted as a principal in the first degree and under the law he must be so convicted or not at all. But under an indictment for larceny after trust, if he proof should show that the property proved to have been stolen was a negotiable instrument payable to bearer and entrusted to and in the custody of the prisoner whether in his own actual possession or another for him, he knowing it and consenting thereto, and if in such case the proof should further show that a larceny of such instrument was committed and that one of the acts done in the consummation of that larceny was to take or pass the paper out of the custody or control of the prisoner, and that he knew of and consented to such change of possession for such purpose no matter whether present with the property when thus knowing or consenting, whether present with the property when such change of possession occurred or not, this would make him a principal in the first degree. The parting with such property in such case or the consenting to part with the same would be in the eye of the law the personal individual act of the prisoner and he would be also guilty accordingly, and as principal in the first degree, whether as before stated he was actually present when such consent was acted on and carried out or not.

It would make no difference what motive induced such consent if knowingly given whether to favor a friend by enabling him to make use of the property of the state for his own purposes or contemplating a use of the same for objects or purposes in which the prisoner had an interest, unless it should be made to appear that the prisoner did bona fide in his official capacity entrust the certificate to Kimball, believing in his integrity and solvency at the time for the purpose of applying the same or its proceeds to take up the mortgage, and that the same would be for the true interest of the state. But in the latter event it would be the duty of the prisoner to make some record of the fact or entry of the transaction in the executive department, and if the proof should show to the satisfaction of the jury that Kimball did get the certificate and used the bonds as proceeds of the same for his own purposes this would be sufficient to cast on the prisoner the burden of disclosing the transaction and of proving that he acted bona fide in the matter according to law, and this presumption would control on this part of the case unless proof be produced sufficient to overcome it. If a person be entrusted with and have in his possession personal property of another and be knowingly consent that a third or different person shall wrongfully and fraudulently take and carry away such property with intent to steal the same and such design is accordingly carried into effect, and in the course of the same such person so entrusted knowingly parts with his possession and dominion over the property for that purpose and with the intent of furthering or promoting such larceny, this would be sufficient to constitute an embezzlement of such property within the meaning of the law.

If the certificate in question was by the terms of the transaction passed to the state as a collateral security to protect the state against the lien of a mortgage on the capitol building held by the insurance company, then it would follow that the state would have such a title as to make the paper a sufficient subject matter of larceny, if other conditions of guilt be made out under the proof, and if such larceny was committed, and if the prisoner was under the law and the evidence guilty at the time, no payment of the mortgage afterwards by the city would relieve such guilt or restore his innocence.

If the certificate was not entrusted to the prisoner, or if the prisoner did not in fact know that it was entrusted to him or if the certificate was taken and carried away without the knowledge and privity of the prisoner he cannot be convicted under this indictment no matter what else may be in the case.

On the other hand if he was so entrusted and he knew it the larceny alledged was committed and the other conditions of guilt as to him should in the opinion of the jury be made out under the evidence you should so find him.

Direct evidence is that which immediately points to the question at issue. Indirect or circumstantial evidence is that which only tends to establish the issue by proof of various facts sustaining by their consistency the hypothesis claimed.

Before you can convict on circumstantial evidence, you must be satisfied from the evidence that the circumstances proven are not only consistent with the hypothesis of guilt, but that they are inconsistent with and exclude every other reasonable hypothesis but that of guilt. If guilt be established by circumstances up to this standard the mind may rest as safely in a conviction founded on this case of evidence as on any other; but if it fall short of this standard, the law and your duty would require an acquittal.

The governor of the state has by law a general supervision over all the property of the state with power to make all necessary regulations for the protection thereof, where not otherwise provided for, and it is his duty to know about and to etch proper disposition of valuable papers belonging to the state which came into his department, and ordinarily it is presumed that he does so, but in a criminal case, this presumption is not conclusive of such knowledge. It may be rebutted by proof or by circumstances. Unless so rebutted, the presumption would be sufficient to show knowledge. If so rebutted and overcome by proof or by circumstances, the proof would prevail over the presumption.

If the party believe that the crime alleged was committed, and that even taking all the circumstances proven to your satisfaction to be true, and though pointing towards guilt that yet the crime may have been committed by somebody else without complicity or participation of the accused, then the hypothesis of guilt would not be established by such circumstances; but if the jury should think the circumstances proven to your satisfaction to be true, they not only must and are consistent with the prisoner's guilt, but that they are inconsistent with, and exclude all other explanations of guilty knowledge and intention in the matter by him, then such circumstances would be a safe basis for a verdict of conviction.

No recital contained in a certain writing signed by H I Kimball, which you have heard read and will have sent before you, affords by itself any evidence that the prisoner knew of that writing, or knew of the facts it recites. That writing may be looked to as original evidence on the question of whether the state had a title to the certificate, but the question of whether the prisoner knew of that writing, or of the contents of the same, must depend on other evidence or circumstances outside of the writing itself.

In a civil case the due record of a mortgage is constructive notice of the existence of the mortgage against all parties to be charged, but in a criminal case the rule is different. The mere record of the mortgage in question, though entirely regular and legal on its face, does not charge the prisoner with knowledge of such mortgage or of its contents. This knowledge must be brought home to him by direct evidence or from circumstances, before he can be affected with the same; but if such knowledge be shown to the satisfaction of the jury from all the circumstances, this would be sufficient.

It is the duty of the jury in weighing and considering the evidence to adopt any reasonable view which will reconcile the evidence without imputing intentional perjury to any, but if in the opinion of the jury any part of the evidence should be in conflict and may not be thus reasonably reconciled it would be the duty of the jury to give evidence to that which under all the light before you in the evidence, under your conscience, commands your belief in its truth.

If a witness swear wilfully and intentionally false as to any material matter in the case, his testimony ought to be discredited altogether unless corroborated by other credible witnesses or by circumstances. The court does not say any witness has so sworn or has not so sworn. The court gives you the rule of law on the point and it will be useful to you or not as you may or may not find matters of conflict in the evidence.

If a witness on the stand be questioned by the party calling him in relation to what he swore on some former occasion, his statement, even though permitted by the court for sufficient legal reasons as affecting the witness, yet it would not be what he even admits he swore before, but what he swears now, that is to be taken as his evidence. That line of examination is to be regarded as intended to draw the mind of the witness to the testimony sought of him, and before it can be evidence in this trial it must be delivered by the witness here before you on oath. If so delivered again, or so far as delivered here on oath, it would be evidence, and so for only.

In criminal cases the defendant is presumed to be innocent until proven to be guilty. The burden of proof is for the state to show guilt in this case, the defendant began the trial with the presumption of innocence in his favor, and this presumption remains until removed by proof. If so removed, the proof would prevail over the presumption, and proof for the purpose may be drawn from any part of the case, no matter on which side produced.

The jury are the exclusive judges of the evidence. As to what act are proven or what not proven, the court neither expresses or hints an opinion. The whole duty and responsibility of weighing, judging and passing upon all the evidence in the case is on you. By the law, the court cannot, and the court does not in the least divide this responsibility with you. You take the law from the court, the evidence from the witness and the documents produced. You judge of these and they lead to the truth.

If considering any of the elements necessary to make out guilt on consideration the whole evidence, the jury entertain a reasonable doubt as to the guilt of the accused, the law requires that you give him the benefit of that doubt, and acquit him. By this is not meant a fanciful doubt that he mind has to seek after like an excuse or evasion, but a reasonable doubt arising honestly and naturally in the mind, springing out of the testimony. That is the doubt of the law. Nothing less is the doubt of the law.

Amongst the presumptions of facts known to the law is the one which would arise when a crime is shown to have been committed and it appear that the prisoner fled or fled from the scene, or attempted flight or absconded. A fact of flight or absence is one of the circumstances which the jury may consider in the light of all the testimony in the case and such inference of guilt would be more or less strong, according to he extent to which, first all, the crime and conscious guilt of the same may, in the opinion of the jury under the evidence, have entered into the true motives for flight or absence.

A bill of indictment for such an offense as here alleged must be preferred and found within four years from the first day of its term. If a bill of indictment be found against the same defendant charging substantially the same transaction, though containing a variance or omission or mistake or description of a paper in question, and if by order of the court such bill were ordered to be quashed and a new bill preferred and such new bill is preferred and found in six months from the quashing of the old bill, the new one would be in time, though more than four years had elapsed from the date of the principal fact.

The prisoner is not to be excused if otherwise guilty for his position or for anything said or done appealing to your favor. In the precincts of the court impartial justice must be administered without respect to persons and with equal rights to the poor and rich, on the one hand the prisoner is not prosecuted for his position or for negligence in office, but for the matters alleged on the face of this indictment, and for these alone, and by these he must stand or fall, and the issue you are trying. If under the evidence he be not guilty of that wherewith he is charged in this indictment, acquit him. If guilty convict him.

A juror must have a clean heart and an upright mind. You began in this trial, continued it now and will continue to the end with the first sacred duty and obligation resting on you, to utter your oath and the law to do impartial justice between the state and the accused. It is a matter of concern to you who the guilty are, whether on the one hand and the prisoner on the other. They are both and equally before the court and the jury for justice. Weigh the evidence under the law without prejudice or biased with perfect impartiality, and when you find the truth agreed to by the undivided voice of the jury, express that truth in your verdict whether it be guilty or not guilty and bring it into court, and there your duty will be ended; all consequences are with the law and the court.

"NOT GUILTY."

The jury remained out from 1:40 to 12:10 a. m., when they returned a verdict of "not guilty."

There were a number of the friends of ex Gov Ballou in the court room, late as was the hour, and they joined in hearty congratulations over his acquittal.

Our completed report of the proceedings of the trial, owing to the lateness of the hour, is deferred to the next issue.

HOTEL ARRIVALS.

Markham House Arrivals.

ATLANTA, January 7.

J W Chester, Macon; G L Williams, W O Wallace, Rutledge; R P Samuels, New Castle, Ky; Thos H Hogan, Hogansville; W H Wilkinson, New Castle, Ky; G D Younglove, Jamesville; N S Terry, S B Cox, Cynthia, Ky, W Jones Va; M Kimball, St Louis; G Stone, Ky, E J Hogan, J W Black, W S Massin, Ky; H C Saunders, Jeffersonville; Paul D Cassanac, Ga; H R Thompkins, Savannah; H R Harris, Greenville; M Edwards, Ga; Mrs W J Morgan, Houston; Mrs Florence Vickers, Houston; J M Owens to Owensbyville; A Furgerson, Pensacola, Fla Miss Lena Foster, Madison; R S McFarlin, W A Speer, LaGrange; A J Warren, Marietta; G R Brooks, Concord; M Bowden, W H Prather, Ky; Silas Corbin, Paris, Ky; J T Talbott, Cynthia, Ky; Chas Hooper, Cedar Town; Chas O Boyd, Ga; J L Harper, J L Deadwyler, J O Sanders, Elberton; J E Parrott, M A Moon, Calhoun, A W Foster, Madison; W A Graham, Lexington; H W Davies, New York; Jas B Gaston, Gainesville, B J Hutchins, D P Hill, city, Wm A Osborn, Palmetto; Geo A Mercer, A B Sims, Savannah; Ben E Crane, city; W F Hughley, A O Jackson, West Point; Geo C Davis, P J Henderson, Covington; J J Haynes, Jonesboro; H C Perrington, Greensboro; W E Carnes, Jonesboro; B F Hudson, Ga; S J Johnston, Franklin, Ga.

LOCAL PADDING.

—The coldest of the season.

—The ladies of the First Methodist church are preparing a pantomime, "The Mistletoe Bough," for the benefit of the church. Mrs Slane and Mrs Dessau are in charge.

—It is said that the anti-resumptionists of Atlanta will hold a mass meeting very soon to show up their strength. They will command a very large crowd.

—Mr. P. W. Meldrum, one of the most brilliant young lawyers in Georgia, and a leading member of the Savannah bar, is in the city in attendance on the supreme court.

—The purchaser of Mr. Morris's house on Peachtree street is Mr. Rodrigues, a Cuban gentleman of wealth and distinction. He will not make Atlanta his home at present.

THE REX REVERY.

—A big delegation from Macon is expected to morrow afternoon.

—Nearly all the carriages at the stables have been engaged.

—Concordia hall will be thronged tomorrow night with an assemblage of hilarity and beauty.

—Tickets for the grand Rex ball can be obtained at the clothing store of W B. Lowe & Co. All those who have received invitations had better call at once and secure tickets.

—The city will be quite full of visitors to morrow.

—Half fare rates on all the roads.

—Remember that the ball will be given in the elegant new Concordia hall, where every convenience will be arranged.

—Don't fail to patronize the supper, the proceeds of which will go for the benefit of the Benevolent Home.

—Some very magnificent costumes have been arranged for the ball.

Greenback Club.

A number of prominent citizens met together last night and organized the Central Greenback club of Fulton county. Judge Daniel Pittman, our well known judge of ordinary, presided, and considerable enthusiasm was manifested. Judge Pittman was chosen permanent president, and two vice presidents are still to be elected. The board of directors consists of several well known citizens, each ward being represented.

POLICE POINTS.

—Recorder's court netted about $7.

—Few city cases Sunday or yesterday.

—Sunday passed almost without the violation of a single law.

The following state arrests have been made since Saturday night: Gilbert Jones for larceny, Martin Stone for larceny from the house, Thomas Brown for receiving stolen goods, Bob Greenwood on a warrant from Lagrange, Jim Murray on a state warrant.

—The negroes charged with burglarizing the stores of E S Chapman and McCravy & Bro. were acquitted on a preliminary examination. They were ably defended by W. T. Moyers, Esq.

The Cold Snap.

The thermometer stood Sunday night at 16 above zero. The cold snap is the result of the snow storm that has passed over the country. As will be seen by the following dispatches it was general:

NASHVILLE, Tenn., Jan. 8.—A very heavy snow storm has prevailed here since 5 p. m., reaching a depth of four inches in three hours.

LITTLE ROCK Ark., Jan. 8—A heavy snow-storm prevailed all day. It is now five inches deep, and still snowing.

ST LOUIS, Mo., Jan. 8.—Light snow to-night, and mild.

LOUISVILLE, Ky., Jan. 8.—Heavy snow.

NEW ORLEANS, La., Jan. 8.—Dispatches report a snow-storm prevailing at Corsicana, Texas, Shreveport, Vicksburg, Miss., and Little Rock Arkansas.

THE SODDEN SECRETARY.

THE DEATH GRIP OF SHEEPISHISM UPON THE BUSINESS OF THE COUNTRY.

Broken Fortunes, Cipher Assets and Liabilities by the Million—Let the Bondholders Resume and the Paupers Perish.

DRIVEN TO CRIME.

MERIDAN, CONN, January 7.—A. P. Delesdernia, of the firm of Joan Island & Co, bankrupts, is held for swindling and concealing goods.

NO MONEY TO-DAY.

POTTSVILLE PA, January 7.—The Pottsville bank has closed doors.

THE CHARTER OAK OFFICERS.

HARTFORD, January 7.—In the supreme court this morning Messrs. Waikely, Furber and Wiggin, indicted ex officers of the Charter Oak life insurance company, appeared and gave bonds in $5,000 each for trial at the March criminal term.

FORDING IN.

CHICAGO, January 7.—B F. Ford, of the distilling firm of Ford, Oliver & Co., has gone into bankruptcy. Secured debts $77,000, unsecured $74 000. The United states has a claim of $149,000, for the recovery of which suits against Ford are still pending. He is also responsible on accommodation paper to the amount of $45 000, and his bills discounted equal $18 000. He has an open account of sums due him aggregating $16,000, and unadjudicated claims, value unknown.

DESTROYED BY FIRE.

Murray & Nelson's drug manufactory on Quincy street has been burned, with most of the machinery and stock. Loss $20 000.

ANOTHER IN THE WHIRLPOOL.

CHICAGO, Jan. 7.—Abraham Lipman, pawnbroker, has filed a petition in bankruptcy. Secured debts, $60 000; insured, $8000; assets about equal to liabilities, largely in real estate.

An indictment was found to-day against Maj Ward Stale, examined under Auditor Needles and J. H. Kellogg, actuary. Both in connection with frauds committed in the Protection Life Insurance Co. case.

TRYING TO MAKE EVEN.

CINCINNATI, January 7.—Anthony Trempe, a member of the firm of Hof & Co., whisky dealers, who has lately bought whisky to the amount of $30,000 on 30 and 60 days time, and disposed of it in southern markets, was to day arrested, charged with obtaining goods on false pretenses. Hof cannot be found, and it is supposed he has absconded with the proceeds.

"OLD AND TRUSTED."

SPRINGFIELD, January 7 Peddicord and Burrows, bankers, of Decatur, Ill., have failed. The amount of assets and liabilities is yet unknown. It was an old and trusted firm.

"GIVE US GOLD."

NEW YORK, January 7.—President Winston, of the Mutual life insurance, in a letter to his financial committee, estimates that if resumption takes place next January, the company's assets will be ninety millions of dollars in gold. He argues, however, that unlimited issues of cheap silver dollars would strike off more than seven millions of that total to the injury of their policy holders, scattered all over the country, and holding prospective claims aggregating three hundred million dollars, in sums averaging only three thousand dollars each. The money thus lost would not be taken from rich men or bondholders, but from the pittances of future widows and orphans. The necessary inference is that proportionate losses must accrue to the patrons of all similar popular financial institutions.

A GOOD ROUND SUM.

LONDON, January 7.—Pierce, Davies & Co., timber merchants of Liverpool, failed. Liabilities (estimated) $750,000.

FROM THE ISLES.

Hustling out the Americans—Matters in Hayti.

KINGSTON, JAMAICA, December 27.—A number of American citizens from Baltimore, who have taken forcible possession of the Mornant key and a dependency of Jamaica, and who have established a Baltimore guano company, and have been shipping guano despite the warnings of the United States consul here and the government of Jamaica, have been

DRIVEN OFF THE KEYS

by the American steamer Blanche, and brought to Kingston. A Captain Jannel claims to have discovered the keys and to have taken possession of them in the name of the United States and protests against the conduct of the Jamaica authorities. A Cuban who was charged with having

WILFULLY SET FIRE

to the International hotel in Port au Prince has been tried, convicted and sentenced to death. The Spanish consul has interfered, also the commander of a Spanish frigate. The Haytien government is, nevertheless, firm in its resolution to carry out the sentence and has now been notified by the Spanish representative that if it does the Spanish fleet will

BOMBARD PORT AU PRINCE

in retaliation. Preparations for this contingency are being made.

A man of war has been despatched from Jamaica to watch the British interests in Hayti.

A native of St. Croix, Mr. Newton, now colonial secretary at the Mauritius, has been appointed by Lord Carnarvon colonial secretary in Jamaica, vice Mr Rushworth, deceased. The new government captain, Strachen, with his wife has arrived at Bardadoes. Elections have taken place there and a new house of assembly formed, so that the colonists have after all preserved their representative institutions, which were threatened by Governor Pope Hennessy, now removed to Hong Kong, in the hope of making Barbadoes like Jamaica, a crown colony.

An Eastern Opinion.

HOTEL PHOENIX,

NEW YORK, January 5, 1878.

Editors Constitution: We greenbackers of the east look with great anxiety to Ohio to see that she acts wisely and well in her choice of the United States senator. If the Ohio democracy elect the great champion of the greenback cause, the Buckeye greenbacker, Gen. Ewing, they will stand true to the cause which they have so nobly advocated; and all those who seek relief from these bitter, heartless times by compelling a change in the financial policy of the administration hope that the gallant Ewing will be sent to the senate. His election at the present time would be a rebuke to Hayes which he would not be slow to understand. If these times continue, Mr. Editor, till next summer, Ohio will be too hot to hold John Sherman; and there will be no special palace cars or indeed rails to ride him to Mansfield.

Mark the sad prediction!

God bless your able journal and you, Mr. Editor; you stand by the afflicted people of the land as against the money changers like many of the able and chivalric journals of your section; and the south, if she joins with the west in her fight for the greenback and silver dollar, will have naught to fear from the bloody shirt wavers and usurers of the east.

EUGENE BEBBE.

A Benign Effect

is produced upon the teeth by SOZODONT. They grow whiter and stronger when subjected to its vivifying action. The gums acquire the ruddiness and hardness of coraline, and the breath the fragrance of odorous blossoms, from its use.

jan8 deod1w&wlt

A LONE HAND.

The Russians Think Since they Played it in War they can Play it in Peace.

SOUNDING THE DEPTHS.

LONDON, January 7.—The Observer publishes the following in official form: We have reason to believe that France, within the last few days, has requested information from the British foreign office as to whether England contemplated any action with respect to Egypt, and that assurances have been given in reply that none was contemplated.

Another cabinet council has been summoned for Monday.

FOOD FOR POWDER.

ALEXANDRIA, January 7.—Five thousand more troops have sailed from Egypt for Turkey. A further reinforcement is preparing.

THE MONTENEGRIN PRINCE.

LONDON, January 7.—A Reuter dispatch from Ragusa reports that the Prince of Montenegro has reassumed command of his army in Albania. Antivari still holds out, although it has been burning in several places since Friday. It is reported to be provisioned for another month. The Turks are marching from Karitza to endeavor to succor the beseiged. The Turkish ironclads bombard the works of the Montenegrins. A Reuter from Erzroum says the Russian infantry and cavalry who advanced to Ilidja, to destroy the telegraph lines, have been totally routed, after a desperate engagement.

SOPHIA ENTERED.

ST PETERBURG, January 7.—An official telegram shows that Sophia was entered on the 3d inst, after a skirmish in which the Russians lost only 24 men. A telegram from Gen. Gourko announces that a desperate engagement occurred on January 2d near Bogroo. The Turks attempted to surround five battalions of Russian infantry and a brigade of cavalry, but were defeated, leaving 1000 dead on the field. The Russians lost 200 men.

A DISSOLUTION IMMINENT.

LIVERPOOL, Jan. 7.—The Post's London correspondent telegraphs that the Spinoza is gaining ground; that a general election for members of parliament is near at hand, and that the conservative managers are already preparing therefor. The secretaries of the different conservative associations have been in town during the past week consulting with various members of the government. They report strongly in favor of dissolution.

A RESIGNATION HINTED AT.

LONDON, January 7.—The Manchester Guardian this morning has a dispatch from its London correspondent stating that it is reported that the Earl of Carnarvon, secretary of state for the colonies in the British ministry, has resigned.

LONDON, January 7.—The Daily News' Bucharest correspondent says an officer from the czarowitch's head quarters states that General Radetsky has crossed the Balkans through Shipka Pass, the Turks having abandoned their position previously because of the severe cold.

The Times' correspondent at Bucharest makes a similar report.

The correspondent of the Times at St Petersburg says it is rumored that Austria and Germany have vetoed the idea of opening the Dardanelles to Russian vessels only. Russia has consequently determined not to raise the question at all.

The czar, for the present, has abandoned the intention of returning to Bulgaria.

CROSSING THE BALKANS.

LONDON, January 7.—A special dispatch from Bucharest to the Daily News says that General Radetsky, who crossed the Balkans through Shipka Pass will probably not move beyond Kezanlik, where he can secure comfortable quarters. The interruption of communication across the Danube would arrest his onward march. Nothing is known at the headquarters of the czarowitch about Gen. Radetsky's movements which would confirm the impression that he will not go beyond Kezanlik for the present.

SHE PLAYS A LONE HAND.

ST. PETERSBURG, January 7.—The Journal de St. Petersburg says Russia, after her immense sacrifices, demands the right to discuss the conditions of peace with her enemy alone. Russia, however, recognizes the right of Europe to make known its appreciation of the peace conditions settled between the belligerents. It is nevertheless important not to admit pretensions which might mislead the vanquished concerning their position, and public opinion concerning the relation between the powers.

Flourishing the Tomahawk

ST. LOUIS, Jan. 6.—A special from the west says a bloody fight took place some days ago on the south side of Red river in the Panhandle of Texas between hunting parties of Cheyenne, Pawnee and Arrapahoe Indians. Thirty Cheyennes and twelve Pawnees are said to have been killed. Loss of Arrapahoes not stated. Cause of fight was trespass by the Pawnees on the hunting ground of the Cheyennes.

The Gold Production.

PUEBLO, COL, January 7. It is stated that Colorado's product of gold and silver for the year 1877 reaches $7,879,437.

Jim Neal's Luck.

COLUMBUS, O., January 7.—The democrats in caucus nominated James E. Neal for speaker.

Fell Dead.

MEMPHIS, January 7.—Rev. Leroy B Gaston, a well known Presbyterian minister of this city, dropped dead in a street in Helena, Ark., to-day from heart disease.

Coldest Day.

MEMPHIS, January 7.—To-day is the coldest of the season: mercury standing 14 degrees above zero at 6 o'clock this morning.

"DOLLAR GRABBERS"

ROCKPORT, MASS, April 2d, 1877.

MR. EDITOR: Having read in your paper reports of the remarkable cures of catarrh, I am induced to tell "what I know about catarrh," and I fancy that "snuff" and "inhaling-tube" makers (mere dollar grabbers) would be glad if they could emblazon a similar cure in the papers. For 26 years I suffered with catarrh. The nasal passages became completely closed. "Snuff," "dust," "ashes," "inhaling-tubes," and "sticks" wouldn't work, though at intervals I would sniff up the so-called catarrh snuff until I became a valuable tester for such medicines. I gradually grew worse, and no one can know how much I suffered or what a miserable being I was. My head ached over my eyes so that I was confined to my bed for many successive days, suffering the most intense pain, which at one time lasted continuously for 168 hours. All sense of smell and taste gone, sight and hearing impaired, body shrunken and weakened, nervous system shattered, and constitution broken, and I was hawking and spitting seven eighths of the time. I prayed for death to relieve me of my suffering. A favorable notice in your paper of Dr. Sage's Catarrh Remedy induced me to purchase a package, and use it together with Dr. Pierce's Nasal Douche, which applies the remedy by hydrostatic pressure, the only way compatible with common sense. Well, Mr. Editor, it did not cure me in three fourths of a second, nor in one hour or a month, but in less than eight minutes I was relieved, and in three months entirely cured, and have remained so for over sixteen months. While using the Catarrh Remedy, I used Dr. Pierce's Golden Medical Discovery to purify my blood and strengthen my stomach. I also kept my liver active and bowels regular by the use of his Pleasant Purgative Pellets. If any experience will induce other sufferers to seek the same means of relief, this letter will have answered its purpose. Yours truly,

183 jan8—1t S. D. REMICK.

WIND AND WAVE.

THE SNAP BRACING YESTERDAY.

Lying on the Beach—The Wrecks at Sea—Rough Times for the Salts.

THE CREW SAVED.

WASHINGTON, January 7.—The cargo of the Walter W. Price was saved but is damaged. The crew were saved. The schooner is a wreck.

THE WEATHER.

Accounts from various points of New England indicate an intensely cold morning. At Nashua, 24 degrees below zero; Manchester, N Y, 27 below; Milford, N. H., 28 below; St. Johnsburg, Vt., 36 below; while at Fort Fairfield, 42 degrees below.

A LITTLE DAMAGED.

LONDON, January 7.—The steamship Alice, which reached Liverpool yesterday from New Orleans, lost some of her rigging, and was slightly damaged by collision with another vessel.

GONE ASHORE.

NORFOLK, Jan. 7.—Walter W. Price Elizabeth, for Conwayboro, S. C., is ashore on Cape Lookout.

FIVE BODIES FOUND.

PROVINCETOWN, MASS, January 7.—Four more bodies of the wrecked crew ner Well Fleet have been recovered

THE LOSS OF THE ATACOMA.

PANAMA, January 7.—The Pacific steam navigation company's steamer, Acoma, was lost about 8 p.m., Nov 30, at the mouth of the Copiaha river. Over one hundred lives are believed to have been lost, including all the officers of the steamer.

ABANDONED.

NEW YORK, January 7.—The C. W. Hart, Philadelphia for Galveston, was abandoned December 30 The crew was saved and have arrived at Britannia.

AT BLACK RIVER.

FORT MONROE, Jan. 7.—Sailed barks Lloyd, Navarch and Clarance, from Baltimore, bound for Antwerp, oiladen, are at Black river with windlass gone. Tug G. S Grunby has gone to render assistance.

SHAFTER'S VIEWS.

The Respectable People of Mexico Do Not Sympathise With the Marauders

WASHINGTON, Jan. 7.—Col. Shafter, from the Texas border, before the submilitary committee, said, in addition to what is already known, that there has been much less stealing during the past than any previous year.

BEFORE THE COMMITTEE.

WASHINGTON, D. C., Jan. 7.—Colonel Shafter, commanding the Neuces district in Texas, was examined before the sub-committee on military affairs to-day. His testimony related nearly altogether to matters that have heretofore been published with regard to raids by Indians upon Texan soil. The colonel stated that the Mexicans had

RETURNED VERY LITTLE

of the property stolen by raiding parties from American citizens. With regard to the number of our troops on the borders, the colonel thinks them sufficient for all purposes, so long as the Mexicans are willing to give support to our efforts to preserve order. Rather than take the responsibility of producing hostilities while in pursuit of a raiding party, if any organized party resent it, Colonel Shafter thought he would let an unimportant stealing party go. The testimony was generally to the effect that the difficulties are altogether caused by thieving Indians, whose outrages are condemned by respectable citizens of Mexico.

FEDERAL FACTS.

What is Being Done in Washington.

TAKING UP CHANDLER.

WASHINGTON, Jan. 7.—Representative Springer is the authority that Ben Butler will introduce a resolution to inquire into the matter partially ventilated by Chandler.

The expulsion of the Baltimore guano company from Morant Keys by the British man-of-war causes

THREATENING COMMENT.

Large interest in the Key is held here.

The president has pardoned S B Steele, sentenced from Mississippi for robbing the mail.

THE WOMEN'S CONVENTION,

in search of the ballot, is in progress here. Mrs. Sarah J. Spencer, of this city, presides with the appellation of "Mrs. President." The convention proposes vigorous measures. According to the Star reporter Mrs. Hooker suggested that the convention adjourn on Wednesday next to meet in the ladies' reception room of the senate, and then ask God to direct them what next to do. She said she wanted it understood that the ladies intended to take possession of the capital on Tuesday by prayer. This ejaculation was used not in any profane manner, but with a supplicating gesture directed upwards.

CLEANING THE STABLES.

The report of the board of inquiry into the charges made against Mr. S. A. Galpin, chief clerk of the Indian bureau, gives a view of the general workings of the Indian bureau far from creditable to him, but Secretary Schurz, in removing him from the office, bases his action especially on the fact that he has kept information of irregularities and the Pacheco agency from the knowledge of his superior officers. Other dismissals will follow shortly.

THE SUPREME COURT.

The supreme court commenced with a full bench. The great McGarrahan claim for the New Idria quicksilver mines was decided adversely to McGarrahan, on account of a defect in the record. In the case of the Chicago, Rock Island and Pacific railroad vs Houston, executor, the court declared that where parties take unnecessary risks in crossing railroads before advancing trains they cannot recover.

The Potomac is frozen some distance below Alexandria and boats have ceased running.

The district court of the district of Columbia refused to appoint women conveyancers on the ground that women were unfit to engage in such business.

J. C Bancroft Davis has been qualified as judge of the court of claims, vice Loring, resigned.

A Laborers' Half-Sole.

BOSTON, January 6.—The workingmen in the shop of B F. Doak & Co., at Lynd, struck by order of the Crispins. The board of manufacturers remain firm, and the indications are they have obtained the upper hand of the Crispin. Over 1 200 men are now ready and wanting to go to work, half of whom are strikers.

Whenever and Wherever

Diseases of a choleraic type prevail, or there is cause to apprehend a visit from them the system should be toned, regulated and reinvigorated by a course of Hostetter's Stomach Bitters. Perfect digestion and a regular habit of body are the best safeguard against such maladies, and both are secured by this incomparable tonic and alterative. The Bitters are also extremely serviceable in remedying such disorders. If promptly taken in bilious colic, diarrhœa and cholera morbus, the disease is usually frustrated. In diarrhœa cases, it is only necessary to restore the tone of the relaxed bowels, and this is one of the specific effects of medicine. Wind on the stomach, heartburn, biliousness, nausea, headache and other symptoms of disturbances in the gastric and hepatic regions are also speedily relieved by this excellent remedy. As a family medicine it is invaluable, since it promptly and completely remedies those ailments which are of most frequent occurrence.

81 jan8 d&w tuthur sat &wjanl

CASES IN COURT.

Can a City Tax Its own Bonds in the Hands of Non-Residents

WASHINGTON, Jan. 7.—The United States supreme court will resume its sessions to-morrow pursuant to the holiday adjournment, and will announce a number of decisions.

THE CREDIT MOBILIER CASE

will be reargued before a full bench at some early date to be agreed upon by the opposing counsel. At the hearing last winter the Union Pacific railroad company was represented by Hon. Wm. M. Evarts and Sidney Bartlett and the United States by the attorney general. The court in view of the great importance of the

CHARLESTON CITY TAX CASES,

and of the fact that the bench was not full when they were argued about a month ago, has ordered them reargued early next month. The question brought before the court by these cases is whether a city or other municipal corporation under a state law can impose

A TAX UPON ITS OWN OBLIGATIONS

in the hands of non-residents. The city of Charleston levied a tax of two per cent. stock, and directed its treasurer to withhold the amount of the tax from the interest due Messrs. Murray and Jennings. One a resident of Germany and the other of Maryland, brought suit in the state courts to recover the amounts thus withheld from them, and a majority of the South Carolina supreme court sustained the validity of the city's action. This decision was appealed to the United States supreme court on the ground that the law imposing such taxation was an act

IMPAIRING THE OBLIGATION.

of a contract, and therefore a violation of the federal constitution. The cases attract great attention in financial and business circles, as it is perceived that the acknowledgment by the supreme court of the power thus claimed to treat municipal debts due to non-residents as property liable to local taxation may lead, in many instances, to their being taxed out of existence, or, in other words, to repudiation

IN FORM OF TAXATION.

In a somewhat similar case, namely: that of the Cleveland & Ashtabula railroad vs. State of Pennsylvania, 15 Wallace, page 379, five of the nine members of the supreme court held that the state could not tax non-resident holders of railroad bonds, but the result of the pending cases is considered extremely doubtful.

THE KING'S EVIL.

Victor Emanuel Afflicted With a Pain in the Lungs.

LONDON, January 6.—The king of Italy is very ill. The first dispatch giving an intimation to that effect dated Rome this evening represented that the illness was not serious, but prevented the king going to Turin. A telegram dated 11:30 p. m. says, it has now transpired that the king on Saturday was attacked with

A VIOLENT FEVER,

which produced pleurisy in the right lung. The symptoms cause apprehension and it may prove to be a complicated case of miasmatic fever.

ROME, January 7.—King Victor Emanuel passed comparatively a quiet night, but the fever continues to increase, with further extension of pleurisy.

A CONSULTATION.

LONDON, January 7.—A special dispatch from Rome to the Pall Mall Gazette says: Prof. Baccoli, of Rome, and Dr. Bruno, from Turin, have been summoned for consultation in regard to the condition of the king. The left lower lobe of his right lung is congested, and the whole right pleura is affected, and there is also intense intercostal neuralgic pain affecting the entire abdomen. This being only the second day of the malady it is impossible to predict the issue.

A QUERY.

When the news of the king's illness reached the pope he asked the cardinals present what will happen if the vatican and quirinal both become vacant.

PARIS CENTENNIALISMS.

The Men Who are to Carry the Banner in France.

WASHINGTON, Jan. 6.—John Mallet, professor of chemistry at the University of Virginia, has been

Constitution

MORNING, JANUARY 3, 1878

LABOR AMONG THE NEGROES.

Present this morning the inaugural address of Governor Colquitt, delivered before the Legislature yesterday. It is a plain, practical, sensible paper, and will be read with interest by the people of the State. We call attention—and we ask it for it deserves it—to the paragraphs relating to the labor question. There are several points in the discussion of this subject that are worthy of careful consideration. Debate grew faint when the Speaker first addressed the Legislature. Debate grew faint when the Governor of Georgia addressed the Legislature. Debate grew faint when the Governor of Georgia addressed the Legislature. Debate grew faint when the Governor of Georgia

...ntinue, swear that the means there...among which was the...Schantz & Lawton and other items of Kimball, were charged...Gov Bullock's special account, was be...Gov Bullock, in language or manner not be misunderstood, told the officers of the bank that at advances to H. I. Kimball, or H. I. Kimball & Co, or to his current account, were to be secured by the deposits to his special account? I ask you whether you testified that before the committee of the legislature appointed to examine into the official conduct of Rufus B. Bullock?

General Gartrell—Your honor understands us as objecting?

The Court—I rule the question competent.

A. I testified something like that, but I think that is a little more definite and emphatic than I gave it.

Q. Did you testify to the truth then, as you understood it? A. Yes, sir.

Q. Now, when you stated there that it was language or manner that could not be misunderstood, state whether Governor Bullock used such language or manner as authorized you to give that testimony? A. I do not remember, now, what it was.

Q. You say what you stated was that Bullock had told the officers of the bank, in language or manner that could not be misunderstood; now, to whom was that language or manner used? A. I suppose the testimony was designed to represent myself chiefly.

Q You was the man who managed the financial affairs of the bank? A. Yes, sir; principally

Q And that language was addressed to you, mainly? A. I do not my now that that language was adderessed to me. My recollection now is very indistinct about it. If that was my testimony at that time, it was according to my belief.

Q Your belief at that time? A. Yes sir.

Q What did the defendant do or say that led you to get this impression that they were interes ed to gather in business as partners? A. I have no distinct recollection about it now.

Q. Did you transfer at that time, Bullocks's money to Kimball's account, without some authority? A. I do not recall te matter now

Q Either from what Governor Bullock said or did? A. I do not remember all the circumstances attending the transfer. I know it was done on legal advice.

Q Still, all these facts you knew before? This account was not transferred until after Bullock left? A. No, sir.

Q. When did you get these facts? A. If I remember, I did not swear to them as facts, but as inferences.

Q. From the language and manner of Governor Bullock? A. Yes, sir; as inferences from his language and manner.]

Q When did you hear or see his language and manner—before or after he left? A. Before he left.

Q. Before he asked you to discount that note? A. Before that.

Q What did the defendant do about that note? A. He endorsed it and asked me to discount it?

Q. What reason did he give? A. That Mr Lawton was a friend of his and he would be glad to see him accommodated.

Q. Where did that interview take place? In the bank or the executive office? A. My recollection is that he sent a note by Mr Lawton to me asking the favor of the discount for Mr. Lawton

Q Where was that note—in the bank when he endorsed it? A. Mr Lawton brought it already endorsed and a note asking me to discount it.

Q. How was that note cleared up? A. It was to his special account, I think. I got that mixed this morning. I said that one of his accounts was good, but I see by the books it was overdrawn.

Q. Why did you put this note to Governor Bullock's special account? It was put to that? A. Yes, sir.

Q. Was it done when the note fell due? A. No, sir; afterwards. I think it went to protest.

Q. It was not paid and you protested it? A Yes sir.

Q. Now, Mr Jones, did you testify before the committee, in that same examination, that Bullock and Kimball never told you in so many words that they were partners, but that both gave you to understand, in a way that no intelligent man could fail to comprehend, that they were partners? A. I do not know, sir; and I do not know whether I bought so or not.

Q. Did you, at that time, think so? A. I did, if I testified so.

Q. Did you or not? A. I do not know whether did or not.

Q. You do not know whether you so thought or not? A No, sir.

Q. How did you come then, to take this money on Bullock's general account and charge it up to the special account, unless you did think so? A. Both accounts were representing Bullock's money and so it did not make much difference whether it was on one or the other, to us.

Q. But that wasn't H. I. Kimball's account, was it? A, That wasn't the question you asked me.

Q. How came you to charge it up in that way? A. I do not remember all the facts, but they were enough to justify it

Q What were they? A. I do not remember.

Q. Didn't you say that they had given you to understand, in language or manner that could not be misunderstood, that they were partners? A. I do not remember.

Q. Did Governor Bullock ever intimate to you that he was interested in this account of H I Kimball & Co., or H I Kimball? A. I do not remember that he did. I have not thought of those matters for a good many years.

Q. Did Mr Kimball in speaking of these accounts, tell you to keep "mum" as to how they were kept? A. I do not remember that he did.

Q Did he ever say that to you in the presence of Governor Bullock? A. I do not remember.

Q Did Governor Bullock ever say anything to you to lead you to suppose that he was interested in the accounts of Kimball? A. If he did, I do not remember it.

Q. Didn't you so testify before the committee? A. It is so stated in the book

Q. That is not the question. Didn't you so testify? A. I don't know whether I did or not.

(Cross-examined by Gen Gartrell.)

Q. I understand you, sir, to have repeated two or three times, in answer to the attorney general that that account of your testimony before the committee was stronger than you recollect having testified? A. Yes, sir.

Q This note of Schaub & Lawton was not paid, but went to protest? Governor Bullock was an accommodation endorser, was he not? A. Yes, sir

Q And wrote to you that he would be glad if the bank could accommodate Mr. Lawton? A Yes, sir.

Q Has that note been paid? A. Not at our bank.

Q. Has it been sued on? A. I do not know that.

Q Governor Bullock had two accounts at the bank—a special account and a general account, and the checks on the special account always came from the executive office signed up by the governor and secretaries? A. Yes, sir.

Q. And the other was just as you or I would keep our accounts in bank? A. Yes, sir.

S A DARNELL'S TESTIMONY.

S A Darnell, sworn for the state:

(Examined by the Attorney-General.)

Q. Were you present in Atlanta about the time of the purchase of the opera house as a capitol for the state? Yes sir.

Q Now state to the jury, were you at that time a member of the legislature? A I was a member of the legislature at the time the purchase was made.

Q Now state what Governor Bullock's position was, in reference to the purchase of that property whether he was a warm supporter of it, or not? A. I was then the personal and political friend of Governor Bullock, and I do not think he ever asked or spoke to me on the subject.

Q I ain't asking what he said State what his position was. A. As I stated, I was the personal and political friend of Governor Bullock and at that time—the purchase of the opera house, as it was then called—I do not remember that Governor Bullock ever mentioned the subject of the purchase of the opera house as a capitol for the state of Georgia, to any one He may have done so, but I do not remember it.

Q. Perhaps he judged that you were all right, but what did he do about others? Was he supporter of it, and a warm supporter? As I now remember it, he was an advocate of the purchase of it.

Q Did he send for members and ask them to pass the bill to enable the State to buy it? A. I don't remember He did not send for me.

Q. Did he send for other members? A. Possibly he did I have no recollection of any such thing, and perhaps he did. He did not send for me, I know.

Q. Let me refresh your memory with this testimony. (Handing book to witness)? A. Since you submit this to me, while I do not remember any particular members of the legislature at the time being sent for, I remember something of that sort. I think that testimony is substantially correct. I think he did do so, but I could not state any member whom he did send for.

Q. You think it is correct, so far as his sending for the members? A. Yes sir, that is my impression now.

Q What time was that? A. I don't know. It was in the year 1870, and must have been at the session of the legislature of that year, sometime during the summer. I think it was in the summer of that year 1870.

Q. Since your memory is refreshed, do you remember any conversation with you on the subject? A No, sir, I don't; although he may have mentioned it incidentally.

Q Where were you a member from? A From Pickens county

(Cross-examined by Gen. Gartrell.)

Q I will ask you if Governor Bullock was not a warm supporter and advocate of keeping the seat of government at home in the city of Atlanta?

A I do not remember [illegible] to say.

A L HARRIS' TESTIMONY.

A L Harris, sworn for the state:

(Examined by the attorney general.)

Q In July 1870 what office did you hold in the Western and Atlantic railroad? A. Master of transportation

Q Of what—the Western and Atlantic railroad? A Yes, sir.

Q You were well acquainted with Bullock and H I Kimball? A. I knew them very well.

Q. Do you remember a letter that Mr Kimball wrote you in pencil about that time, signed 'K,' about the union depot? A. Yes, sir.

Q Have you got that letter about you? A I have,

Q. I wish you would exhibit it, please. [Objection made to letter by Judge McCay.]

Q Did Governor Bullock know anything of the matter referred to by Mr. Kimball in that letter? Did you have an interview with Governor Bullock about it afterwards? A. yes, sir.

Q What did he say to you and you to him? A I asked him if it was agreeable to him to have the recommendations of that letter carried out.

Q. What was his reply? A. He said it was; that he had no objections He gave his assent to carrying out the recommendations of the letter but I cannot remember his words

Q Did he approve or disapprove of the matter? A. He approved it

Q What did he remark about its being safe or unsafe? A. He said he thought it was all right and safe.

Q. How did you come to go to him about it? A. He was a member of the commit tee of which I was a member, having this matter in charge.

Q And so you went to him about it? A. Yes, sir.

Q (By the court) What did you say, exactly, to Governor Bullock, when you went to him? A I told him that Mr. Kimball wanted the depot put further toward Decatur street from the location we had determined on. I gave him the distance probably, but I do not recollect. It would have been natural to do so. Governor Bullock had no objection to the change.

Q What else induced you to go to Governor Bullock at the time to have this interview? [Objected to.]

Q What were the facts about that lot, that Bullock promised you, on Decatur street? [Objected to.]

Q. Did you communicate to Governor Bullock about the promise that Mr Kimball made to you? A. No promise made in there was communicated to him. That was by a previous arrangement.

Q. Did Governor Bullock know of that agreement on the part of Mr. Kimball? A. Not that I know of

Q. Did you communicate to him that Mr, Kimball wanted the depot moved further towards Decatur street? A. Yes, sir; I told him that.

Q. Did you speak to him of having received a note to that effect. A. I dont remember that I did.

Q What did you tell him? A. That Mr Kimball wanted the depot put a certain number of feet further towards Decatur street, from the location we had selected. We already had the holes dug for the foundation.

Q. Did you say that he said anything about our estimating "the value of it to us," or words to that effect? A. No sir.

Q When you went to Governor Bullock, tell us, why you went to him, and what he said to you? He was one of the committee on building the depot. I had no authority alone to make the change.

Q How did that effect the twenty-five feet on Alabama street—that arrangement? What effect did it have? What did he say, was his reason for moving it? What difference did it make by moving it? [objected to.]

Q Did you communicate, that that referred to the twenty-five feet on Alabama street to Governor Bullock? A. Let me see it, to get the figures right. No, I never communicated anything about twenty-five feet to Governor Bullock.

Q Did you explain to him the change? A I did in all probability. I don't remember that I did.

Q In what way did you state it? A. That he wanted to put the depot a certain number of feet over towards Decatur street. I don't remember exactly how much.

Q. What effect would that have on the twenty-five feet on Alabama street? A The twenty-five feet there is to designate the front of a lot on Alabama street.

Q. How much was that worth? A I don't know

Q. What was the value of it? A I don't know.

Q What was the reply that Gov Bullock made? Was it, that you would be safe in doing what Mr Kimball wanted done? A. It was that it would be safe probably and that Mr. Kimball was levelheaded, and a pretty safe adviser in locating depots or anything else about railroads.

Q. What were his words? A. I don't remember the words.

Q Mr. Harris, how long had you known Messrs. H. I, and E. N, Kimball? A. Since 1868.

Q. What sort of relations did they have with Gov. Bullock? Were they very friendly and social? A. I have seen Governor Bullock and H. I. Kimball together very little—very rarely. I know very little about whether they were intimate or not

Q. Were you in the habit of going into the executive office frequently? A. Very frequently.

Q. And you saw them together very rarely? A Very rarely; not over two or three times.

Q What time did Mr Kimball leave Atlanta? A I don't know

Q Was it about the same time that Governor Bullock left? A. Mr H I Kimball had been gone sometime, it is my recollection, when Governor Bullock left

Q. Which was that? A Mr H. Kimball.

Q Well Mr E N Kimball, how about him? A. I dont know. I know very little about him.

Q How long had Mr H I Kimball been gone when Governor Bullock left the state? A. Well, it is a matter I never thought of. It is a good while ago, but I think it was a month or so.

Q. Where did Mr Kimball have his office during the administration of Governor Bullock? A. I think where the Georgia Banking and trust company now is.

Q Did'nt he have an office in the capital? A. I believe he did over where the comptroller General is now.

(Cross-examined by Gen. Gartrell.)

Q Who were the committee appointed to locate the depot? Who composed it? A. Governor Bullock L. P. Grant and myself.

Q. And the committee agreed to move it from where you first agreed to locate it? A. Yes, sir.

Q To move it over made it more convenient to the Georgia railroad, didn't it? A It made it more convenient all around. I wanted it there in the first place.

Q. Col L. P. Grant agreed to the change? A He did not object.

Q. The railroads all contributed to build that depot? A. Yes, sir. I know that fact, for I made up the accounts.

Q Mr Kimball's main office was in the Kimball house, fronting on Wall street? A. Yes, sir.

Q. And he was occupying it when he left? A. Yes, sir.

Q. Didn't he have his office on the other side, opposite Moore & Marsh's, while the building was in process of construction? A. I do not remember.

Q. You have no recollection of his having an office in the opera house after it was sold to the state? A. I could not recollect about it at this time,

INTRODUCTION OF PAPERS

Attorney General Key introduced and read in evidence the following papers:

1. Recorded copy of the deed dated August 23d, 1872, from H I Kimball to the state of Georgia, for the opera house property.

He then announced that the state here rested its case.

Thereupon court adjourned to 9 a. m, Saturday, January 5th, 878

Saturday's Proceedings.

The court assembled at 9 a m His honor, Judge George Hillyer, presiding

The court-Gentlemen at the adjournment yesterday, the state had concluded.

Attorney General Key—If your honor pleases, we have some other matters we desire to introduce. Gentlemen, we tender you the old bill of indictment, and the order of the court not prossing the bill

Counsel for defense objected to the papers, but the court overruled the objection and they were read in evidence.

J B CUMMING'S TESTIMONY

J B Cummings sworn for the state:

(Examined by the Attorney General.)

Q. Did you go on to New York several years ago, to arrest Rufus B Bullock? A. Yes sir.

Q. What time was that? A. I forget the time now; it was directly after Governor Smith came into office.

Q For as near as you can, in your mind, the date or year—was it in 1872? A. I think it was in 1872.

Q I will show you that indictment of the 5th of January, 1872 Perhaps that will refresh your memory. What do you say now? A I think it was in 1872; the latter part.

Q. Was it in the summer or the fall? A. I think it was in the summer.

Q. Did you arrest the defendant? A. No, sir.

Q. State why you did not? A. I had my detective all placed. I went to New York, to Albany and to Buffalo, and then I went to where his father lived, about 90 miles this side of Niagara Falls, called Albion. Then I went over to the Canada side, to Ontario. I was gone two or three weeks, I went back to Buffalo and was at a republican meeting one night and heard a Mr Winslow say he had seen Gov Bullock a few days before —. (Witness stopped.) I went back to Albany to get Gov Hoffman to sign the warrant and he put me off several days; but I had the chief of police there at Buffalo day and watch and thought I had him spotted sure, but I was delayed and didn't get back in time.

Q. Did you go back to Albion? A. Yes, sir; and went over on the Canada side and stayed awhile.

Q. [illegible] you to go to Canada? A. I heard he was [illegible] on the other side.

Q. Did you ever succeed in meeting up with him? A. No, sir.

Q. How long was you gone, in all? A. Some three weeks

Q. What course then, did you pursue in order to secure him? A. I had several detectives on the watch. I was authorized to get detectives, by the committee of the senate and the governor, and use any other means to get him.

Q. What course did you next pursue? A. I did nothing more. When I heard he was over in Canada, I came home.

Q You left the state of New York? A. Yes, sir, but I left a detective on the watch at Albany—a Mr John Chambers.

Q Why did you come on back home without arresting him there? A. I thought he was out of the United States, and there was no possibility of arresting him there. I had detectives at different points on the lookout for him,

Q How long was it afterwards before some one else was sent on there for the purpose of arresting him, after your return? A. I do not know, or recollect.

Q Was that the first effort made to arrest him? A. Yes, sir

(Cross Examined by General Gartrell.)

Q How do you know it was the first effort? A. I suppose so. The senate committee fixed it up when I went.

Q You don't know of any other effort made to arrest him? A. I think I was the first to try it

Q. Do you know of any other person being sent on? A. No, sir; I do not think any other was sent on.

(By the Attorney General)

Q. You went on just now to explain why you knew this was the first effort. Explain that A. I think it was a resolution of the senate to, send a man and they went to Governor Smith about it and he appointed me.

Q How long was that after the resolution was passed? A. I think a few days only. it was done very quick.

Q And that is the reason you say it was the first effort? A. Yes, sir.

(By Gen Gartrell.)

Q You never went on but that once? A. No, sir. That is all.

FOR THE DEFENSE.

The state having announced that it closed its testimony, the defense was in order.

Gen Gartrell tendered and read in evidence the following report of the committee appointed by the legislature to act in the matter of the purchase of the state capitol:

To His Excellency Rufus B. Bullock, Governor of the State of Georgia:

The undersigned a committee appointed to examine the title to the Kimball opera house property, and to arrange all the details of the transfer of said property to the state, upon the basis of the propositions of H I Kimball and that of the city council of Atlanta, beg leave to state to his excellency that they have examined said title and find it perfect—a conveyance of the property has been made and we therefore have the honor to ask your excellency to issue to said H I Kimball seven per cent. bonds of the state of Georgia, having twenty years to run, to the amount of two hundred and fifty thousand dollars and that your excellency will reserve in your possession a sufficient amount of said bonds to secure the returns to the state of fifty-four thousand five hundred dollars paid by you to said Kimball.

We have the honor to be your excellency's obedient servants.

J C FAIN, of senate,

EPHRAIM TWEEDY, of house.

Executive Department Atlanta, Ga. Apr 23 '72

I, J W Warren secretary of the executive department, do hereby certify that the foregoing copy of a report to Hon J C Fain and Hon Ephraim Tweedy, is a true copy of the original on file in the executive department

J W WARREN,

[L S] Seal of Ex Dpt Sec'y Ex Dpt.

J. A. BURNS' TESTIMONY.

J. A. Burns, sworn for the state:

(Examined by the Attorney General.)

Q In what business were you engaged on the 23d August, 1870? A I was in the employ of H I Kimball.

Q How long before that had you been in his employment? A. Early in 1868; March, I think.

Q. Did Mr. Kimball have an office in this city at that date? A. Yes, sir, up in his building, the opera house.

Q To whom did that building belong? A. To Mr. Kimball.

Q About how long did he have an office in there? A In the fall of 1868 he moved it in there, and had had it there ever since.

Q. How long did he occupy it there? A. A few weeks after the building was said he moved down to the Kimball house

Q What room? A. First into a store about opposite the Citizens bank, and then when his office was finished on Wall street he went over there

Q. Which did he occupy when he left Atlanta? A That was the one.

Q. On Wall street? A. Yes, sir; the one in which the bank is now.

Q. Was any portion of the opera house rented before the sale to the state? A. Yes, sir, a part of it to the state, a part to the general government and a part to individuals.

Q. Who rented it to the state? A. Mr. Kimball.

Q. Who rented it to the individuals? A. Mr Kimball.

Q Who had the control of that building before the time of the sale? A. Mr H I Kimball and Mr E N Kimball.

Q. Do you remember what rooms were rented to the state before the sale? A. The state-house officers' offices—those of the comptroller general, treasurer and secretary of state on the first floor; all of the second floor, except the office occuped by Mr. Kimball, and then the third floor and the office were all rented by Mr. Kimball to private parties.

Q. Who rented the postoffice? A. The general government.

Q. Until the sale? A. Yes, sir.

Q Who superintended the lighting and the heating? A I had charge of that both for Mr Kimball and the state

Q. Before the sale to the state? A. Yes, sir A. It was heated by steam? A. Yes, sir.

Q. State whether it was necessary or not for Mr Kimball or yourself to go through that building and see that everything was in proper condition? A. Yes, sir, we had frequently to go, as the occupants did not understand the apparatus.

Q. Did you know H J G Williams? A. I knew Major Williams. I believe they called him that.

Q. What room did he occupy, when Governor Bullock was in office? A. He was in a little room, that was built out of the hallway originally leading into the reception room, opposite Mr Kimball's office.

Q. There was no outside entrance to it? A. No, sir.

Q. You would go through the reception room to get to it? A. Yes, sir. My memory is that there was a window to light it into the hall.

Q. How many rooms were there to the executive office? A That little room of Maj Williams and then the reception room into which the public entered—they were two; and then one in which the clerks worked was three; the governor's office for public business was four, and the governor's private office was five, so far as my memory serves me.

Q. The attorney general's office was back of them? A. Yes, sir; but not entered by this way.

Q. But by a door from the hall of the house of representatives? A. Yes, sir; into that above.

Q. And there was a private way through the reception room and clerks' office? A. Yes, sir; I think so.

Q. Were you present at the time the contract was perfected and entered into between the committee of the general assembly and Mr Kimball for the purchase of that property? A I was present when it was completed

Q. Where was that? Where did it take place? A. In one of those rooms I have described.

Q. Who occupied that room? A. Mr Carson was the only one, I think The other clerks were in the adjoining room

Q What persons were present when it was perfected? A I think during the various sessions I remember Judge Erzard, Judge Hopkins, Senator Fain, Mr Kimball, Mr Tweedy and myself and Mr Corson.

Q I will ask you if Gov Bullock was present at any of those meetings and participated in those transactions? [Objected to as leading]

Q You stated that they were all the persons you remember to have been present? [Objected to]

Q State again, if you please, what persons were present? A. As I remember, Judge Ezzard, who was mayor. Senator Fain and Representative Tweedy, who were the committee appointed by the State to complete the negotiations; Judge Hopkins, who was Mr. Kimball's attorney; Mr. Kimball, and I as Mr. Kimball's clerk, and Mr. Corson—but it was his room.

Q. I will ask you whether Mr Corson was in with you, or where he was? A. He was at his desk rendering any assistance when called on, in the clerical work.

Q. What connection had Governor Bullock with this transaction? A. None, that I know of. I did not see any.

Q. After you gentlemen got into the room, I will ask you if you saw Governor Bullock there at any time and what did he say or do, if anything? A I think when we first went into the room and were getting ready the papers the governor came out of his private office and spoke to the gentlemen and told them the room was at their disposal and that Mr Corson and the other clerks would do any writing they required, and that the stationery and messengers were at their service.

Q. What then became of him? A He went back into his private office and I saw nothing more of him.

Q If anything was done in connection with this trade, state it, in regard to fixing up the papers, for the purchase of the opera house building? A. As I remember, the title papers were submitted to the committee to examine all the papers and insurance policies. And I think Judge Hopkins dictated one or two other papers, which were drawn up by the clerks. I think they were to be used in the transaction, and one of them was a certificate about some bonds,

Q. How long did you remain there? A. As I remember, the transaction took some time. Some of the committee came up to the courthouse to examine the abstract of title. It took some time, and I was in and out. My office was just across the passage.

Q. State, if you please, under what circumstances you left the room, and when? A. At the close of the proceedings when the matter was settled I took the papers, abstract of title and all, and I went into Mr Kimball's office and put them in an envelope and made some memorandum upon it, and then I put it in Major Williams safe

Q. Do you remember what sort of an envelope you put them in? A I was in the habit of fling such papers in these strong box envelopes. There were a good many papers, abstracts of titles, insurance policies, receipts, and so on, and they made quite a package.

Q That was done in your office? A. In Mr. Kimball's, where I was clerk.

Q. What did you do with the package? A I put it in Major Williams' safe.

Q. Did you see that package at any time after you put it in the safe? A. Yes, sir; I saw them on several occasions.

Q. After the negotiations ended there in the executive office, who took charge of the papers? A. I took them and carried them out.

Q. You took them all? A. Yes, sir.

Q You say you took them out—how did you come to take them and what was done with them? A. I took them up, as representing Mr Kimball, and my understanding was the papers were to be taken and put in the safe for safe keeping where all parties could have access to them when required.

Q What did you do with them? A. I took them into Mr Kimballs office and put them in an envelope and put them in the safe.

Q Did you see them afterwards? A Yes sir; I had to look after matters of insurance, and had renewals to make, and had to get the consent of the companies to the transfer of the property. That was all in my charge, and I had to attend to them, and refer to the papers in doing so.

Q Do you know what finally became of that package of papers that you put in Mr Kimball's safe? A. The last recollection I had about it is that late in the fall of 1870, late in Dec mber or early in January, I had occasion to look into some of the papers in closing up some accounts

Q Well, Mr. Burns, I will ask you what became of that package? State whether it was ever removed from or taken from that safe, and if any other person ever had possession of the package; and who took it out, if any one? Give the history of it, as near as you can? A. I think that during December Mr E N Kimball told me to go up to Major Williams and get that package of papers that he wanted to look at some of them. I went up and got them and brought them down and gave them to him. Subsequently he gave it back to me, and I carried it back to Maj Williams and he put it in the safe.

(Cross-examined by the Attorney General.)

Q. Mr. Burns I believe you stated that you came here in 1868? A. Yes, sir.

Q. What time in 1868? A. If I remember, it was the day that the constitutional convention adjourned, in March, 1868.

Q Where did you come from? A. From New Haven. Connecticutt.

Q. Who came out with you? A. I think Mrs. Cook and her daughter came.

Q Had the Kimballs come out here before that time? A. Yes, sir, they had been living here a year or two.

Q. What kin are you to the Kimballs? A. Mr. H, I Kimball is my uncle

Q Who is Mrs. Cook? A. She is the mother of Mrs H I. Kimball. She was coming out here on a visit.

Q. What business had you in coming out here? To go into their employment? Were you employed as their clerk? A. Yes, sir.

Q Had they engaged you before you came? A. The engagement was substantially made before I came.

Q. And you were with them until about 1871, A. I was with them directly or indirectly until they went away.

Q Did you go to Brunswick in their employ? A. I went as superintendent and auditor of the Brunswick and Albany railroad and represented the firm of H I Kimball & Co., with the contractors

Q How did you go? On a contract with them? A. They had the contract to build the railroad.

Q. Who was the company? A. There was a regular organized company, chartered by the state.

Q. Who was the company of the firm of H I Kimball & Co.? A. The only members I know were H I & E N Kimball.

Q Mr. E. N. Kimball didn't make the deed to the state of Georgia? A The paper title was in him until he transferred it to the state of Georgia.

Q. I do not speak of the paper title. Who really owned it? A. As I understand it, both of them owned it.

Q Why was it in E N. Kimball's name? A. I think it was bid off in his name at the public sale, when the property was sold.

Q. Whose money paid for it? A. He paid some and H I Kimball paid some.

Q When did they purchase it? A. I think along in May or June 1868.

Q It was a short time after you came to Georgia? A. Yes sir.

Q. They had been out here the year previous? A. Yes sir; I think E N had been here about two years and H I a year or more

Q. At that time—the time of this sale—what was H I Kimball's pecuniary condition at that time? A. I do not know that I could really say, at this period of time.

Q. Do you know what had been his condition before? That he was insolvent or bankrupt? A I know something of that kind, connected with his mining interests.

Q. Was E N Kimball a bankrupt? A. Not to my knowledge.

Q. Had he ever been through bankruptcy? A. No, sir.

Q. The deed to the property was made in his name? A. Yes sir; he bought it.

Q. You spoke of a meeting to perfect the sale of this property, at which Ezzard and the others were present. Which room was it held in? A. On the corner of Marietta and Forsyth street is a small room called the governor's room—it was in the room next to that

Q. On the north side? A. Yes, sir; it would be to the north, and next to it was the room where the governor transacted his public business and where Mr Corson was; and next above was the general office where the clerks were; and on Forsyth street, next to it, was the reception room, and from it was a door into the governor's room and also into the next room to it

Q. Was this transaction in the clerk's office A No, sir; in the middle room, where Mr. Corson was.

Q. Did the room have a fire-place in it? A. Yes, sir; I think so

Q It was the next one to the governor's up Marietta street? A Yes, sir

Q And then the next room was where Atkinson was and where one of the clerks had a desk, and there was a passage to the clerks' office? A. Yes, sir.

Q You say the governor knew of this meeting? A Yes, sir.

Q. What did he say about it at the time? A. I don't know, of course, what he knew about that. He passed through the room and saw that some public business was being transacted

Q You don't know that he knew that the sale of the opera house was to take place? A. Oh, I suppose he knew such a sale was to take place.

Q And he came in there? A Yes, sir.

Q How long did he stay? A. I don't know. I did not take note of the time.

Q. Well, Mr. Burns, your recollection is accurate about his coming and going back into his private office; why don't you recollect what he said? A. I know he spoke to several gentlemen who were present.

Q To whom? A. I don't know any particular one.

Q. What did he say about the sale? A. Nothing at all that I heard. He just spoke a few words about giving the use of the room and made some remarks about the weather and left.

Q State what he said—as near as you can—the words? A He spoke to the gentlemen and stated that the room and his clerks were at their disposal, for the purpose was to take place?

Q What business do you suppose he referred to? A I suppose to perfecting the details of the transfer, as that was the only business we had.

Q What papers were there? A. The abstract, or memorandum, of the title, tax receipts, insurance policies and some of those bills in chancery relating to the property.

Q And what other papers? A. Those other papers they drew up there. They were there.

Q What were they? A. The certificate, I think, about the city bonds which was drawn up and was to be signed by Judge Ezzard.

Q. You say that Judge Hopkins dictated it. Now, wasn't what he dictated the agreement that Kimball was to sign? A. I think he dictated both.

Q. Do you know who wrote it? A. I do not. I was Mr. Corson or some of the other clerks. I cannot tell, because it was not a matter to make any impression on my mind.

Q. You don't remember? A. I don't remember which one it was; it was one of the clerks.

Q. Why did Gov Bullock's stay make such an impression on you? It was nothing more than that he came in and passed through the office after speaking a few words.

Q. Who wrote that agreement that Mr Kimball was to sign? A. I don't know, unless I was to see it. There were a good many papers, and I could not tell without reference to them.

Q. What day of the month was that? A. I don't know that I can remember. It was in August, 1870, that the resolution was passed to purchase the opera house, and it was carried out right along.

Q. And that day it was settled? A. Yes, sir.

Q You did not take the papers until it was all settled? A. No, sir; because up to that time some of the committee had some of the papers

Q. How long did it take to settle the matter? A. A good portion of the day.

Q When did you go there? A. We went in the morning and it was some time after dinner when we got through.

Q. You took the papers and carried them into the office. Whose office? A. Mr. Kimball's.

Q All the papers had been signed up? A Yes, sir; I think so. My impression when I put them in the safe was that they were all complete.

Q. How large a bundle did they make? A. A pretty large package

Q What papers were there? A. The title papers, deed and so on.

Q I want you to tell the jury the particular papers? A. There was a pretty large number of papers and a lengthy abstract of title.

Q. If not too much trouble, I wish you to give us a list of the papers? A. I could not tell, because the chain of title went back to when the state granted it.

Q. What were those papers? A. They were the title papers, abstract, tax receipts, policies, certificate of the city about the bonds and the agreement by Mr. Kimbal about them.

Q. You are sure they were all in there? A. Yes, sir.

Q You are sure you brought them all back and put them in the bundle in Williams's safe? A I am sure I did. It was either that same night or the next day.

Q. You gave them to him? A. Yes sir; and he put them in the safe.

Q. You never took them out until December following? A. No sir. I was in there before but I never took them out.

Q. You never took that certificate and gave it to any one? A. No sir.

Q How many safes were there about the executive department? A. I never saw one except that of Major Williams.

Q. Why did you carry them and put them in Major Williams' safe? A. Because I understood they were to be deposited there.]

Q. Were not they the property of the state? A. I understand that was where they were to be placed.

Q. Because they were the property of the state? A I don't know how that was.

Q. What was the state to pay toward the purchase of the building? A. $2.0 000 in bonds.

Q. Did the state pay him? A. I don't know whether they did then or not.

Resolution of General Assembly.

A resolution in relation to the purchase of the capitol building:

1. Resolved, That the proposition of the city of Atlanta to donate the bonds of the city to the amount of one hundred and thirty thousand dollars, any ten acres of unoccupied land within the corporate limits of the city, and to furnish free of cost to the state, a mansion suitable for the use of his excellency, the governor, for the term of ten years, be and is hereby accepted.

2. Resolved, That the proposition of Messrs Kimball for the sale to the state of the capitol building and fixtures, furniture, etc, be and is hereby accepted.

3. Resolved, That a committee of one from the senate and one from the house of representatives be appointed to examine into the titles, and arrange all the details upon the basis of the propositions of the Messrs Kimball, and the city council—and on the application of said committee the governor be and he is hereby authorized to issue to the Messrs Kimball seven per cent bonds of the state, having twenty years to run, reserving in his possession a sufficient amount of said bonds to secure the return to the state of the $54 500 paid by his excellency, the governor, to the Messrs. Kimball, and it shall be the duty of said committee to see that the said amount of $54 500 is returned to the state

Approved August 23, 1870 (See Public Laws of 1870.)

Atlanta, August 23, 1870.

Called meeting of the mayor and council of the city of Atlanta, Ga. Present—His Honor Mayor Ezzard and Councilmen Dunning, Howell, Fowler, Castleberry, Calloway, Mahony and Murphy

On motion the following preamble and resolution was adopted.

Whereas, The proposition of this body made to the state of Georgia to contribute one hundred and thirty thousand dollars in the bonds of the city towards the purchase by the state of the Kimball opera house property, has been accepted by the state, without modification and

Whereas, This body is not now prepared to issue said bonds, because it takes some time to have them gotten up, in lieu thereof. Be it ordained that a certificate be issued by the mayor, under the corporate seal, to the following effect, to-wit:

STATE OF GEORGIA:
City of Atlanta.

To all whom it may concern:

The mayor and council of the city of Atlanta hereby certify that there is due from said mayor and council to the state of Georgia, the seven per cent. twenty years bonds of said city, to the amount of one hundred and thirty thousand dollars, which said bonds said mayor and council propose to contribute towards the purchase by the state of Kimball's opera house property, and which said proposition has been accepted, and the purchase made—said bonds are to be delivered to the holder of this certificate, upon the return hereof; and that he deliver said certificate to his excellency the governor of the state to be held by him, or H I Kimball until the bonds are issued,

The above is a true extract from the regular minutes of the city council of the city of Atlanta, this April 25, 1872.

[Seal] S B. LOVE Clerk
City Council, Atlanta

—Reliable help for weak and nervous sufferers. Chronic, painful, and prostrating diseases cured without medicine. Pulvermacher's Electric Belts the grand desideratum. Avoid imitations. Book and Journal with particulars, mailed free. Address Pulvermacher Galvanic Company, Cincinnati, Ohio

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The Reason is Obvious.

They are no worthless nostrum, puffed up to deceive the credulous, but are the result of long research, by a chemist and physician of thirty years' experience, who values his reputation more than gold.

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THEY CURE Dyspepsia, Costiveness, Piles, Indigestion, Fever & Ague, and Wind Colic.
THEY CURE Sick Headache, Foul Breath, Jaundice, Flatulence, and Indigestion.
THEY GIVE Appetite, Flesh to the Body, and dispel Low Spirits.
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oct18—eodw&wfri

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At the corner of

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W. POWERS & SON

WILL open an Auction House on the first day of January, 1878, and advance from one hundred to ten thousand dollars on goods consigned to them to be sold at Auction and Private Sale.

They have extensive accommodations for the display of all kinds of goods, and will do their best to make their sales entirely satisfactory.

Their present stock of Groceries will be closed out as soon as possible. 589 dec7...d10d

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Manufacturer of Copper Stills, Plumber, Steam and Gas Fitter.

AM prepared to do all kinds of work in the line above named at reasonable prices and other notice. Country work [illegible] of Peters St., Atlanta, Ga. 3 jan1...d3m

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FRANK X. BLILEY,

City Funeral Undertaker,

AND

Agent for the Egyptian Balm.

I HAVE the largest stock of Metallic Burial Cases and Caskets in the State. My stock of Wooden Coffins and Caskets is full and complete, and I can sell them cheaper than any other house in the city. Come and examine before you buy elsewhere. Orders from abroad will receive prompt attention.

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...tion No. 11.

...onthly meeting will be
...7½ p m at Concordia hall
...d during the day at Beermann
...or at night at the hall.
CHARLES BEERMANN,
Treasurer.

...D ADVERTISEMENTS.

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...L B Griggs.
...s auction—D P Ellis & Co,
...ouis deSaulles
...le—Joyner & Frierson.
...in bankruptcy—O P Fitzsimons.
...in cloth, etc at auction—C Powell & Co
...crockery—T R Ripley.
...shed house for rent—P O Drawer 31.
...nos, masks—Louis deSaulles.
...nat post wanted—W P Pattillo.
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...es, etc, for sale—Iphonse Lambert
...'s Stomach Bitters.
...ale—H Krouse & Co.
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5550TH YEAR.
JANUARY 4th, 1878.

...s to the Rex Ball now on sale
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...t call early The price has been re-
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Dominoes, Masks

...Louis de Saulles.
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Just opened, 2 cases 4-4 soft finish
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I will do plate work cheaper than
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Dominoes, Masks

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...g. all linen Towels at 75c and $1
...s, worth $1 and $1 50 just received, at
dec16 dif Furchgott, Benedict & Co's.

MERCHANTS, you can void BREAKAGE, FREIGHT and INSURANCE, by buying Crockery, Glassware, Lamps, Chimnies and Show Cases from McBRIDE & CO.

...3 nov11...d1yr 1p

Dr. Ward's Seminary for Young Ladies, Nashville, Tenn., opens its Spring Session Jan. 21. Its patronage is larger than at ...former period. A four story addition of ...rooms is just completed. Its facilities are ...perior, It has weekly lectures from ...Professors. Address
DR. W. E. WARD
...4...d3t Nashville, Tenn.

Corsets! Corsets! Corsets!

...0 Corsets in all the different
...s from 50c to $1 25. A splendid quality of
...h Wove Corsets at 45c, regular price 50c, at
dec16...dif Furchgott, Benedict & Co.'s.

Dominoes, Masks

...Louis de Saulles.
...8 jan8...3t

M. Rich & Bro. are selling all their Cloaks at cost
...4 jan4...d3t

10 pieces Turkey Red and Bleached
...ble Damask in beautiful patterns selling at 50c
...North Tic, at Furchgott, Benedict & Co.'s,
...33 dec16...dif

GRAND CARNIVAL BALL.

NEW CONCORDIA HALL.

Wednesday Evening, Jan. 9th, 1878.

T. N. M. B.

Persons receiving invitations can se-
...ure admission tickets upon application to the
...ir committee,
...e past successes of the Brotherhood and the
...ce of its entertainments has again sugge-
...nnual Ball. HUNT,
...dif

...oves! Kid Gloves!
...id Gloves at 50c, 75c and
...purchasing elsewhere and
... They use our corn lin-
...of which we guarantee
...mmer & Co's

OUR SOCIETY COLUMN.

NEWS AND GOSSIP OF THE WEEK PAST.

Matrimonial Felicities—General Talk and Gossip.

SOCIETY IPERSONALS.

—Miss Emma Merrill, of Louisville, is the guest of Mrs. Scott, Harris street.

—Cadet W W Forsyth, our representative at West Point, has taken a high stand.

—A Washington street belle plays a fine game of billiards

—One of Atlanta's most accomplished daughters is making a protracted visit to Macon.

—Miss Frost, of La Grange, has been in the city for several days past.

—Miss Dozier, of Columbus, is expected in Atlanta this winter.

—Miss Smith, of Rome, is the guest of Mrs. B. H. Hill, Jr., Peachtree street.

—The prettiest girl in Atlanta practices with dumb-bells and eats rare beefsteak.

—It has been decided by a court of sixty unmarried ladies in this city, that no woman is an old maid until she is past thirty.

—One of our leading citizens says he would give $20 to hear Smith Clayton's lecture on the "Closet-to-my bosom come club."

—Three Atlanta ladies will take part in Toodles, which is now being arranged by our amateurs.

—Charlie Eckford now flirts in all parts of the south. He is traveling for a New York house.

—The accomplished Misses Trammell, of Griffin, are guests of Mr A C Wyley, Washington street.

—Col. Thornton is a master of the art of handkerchief flirtation, and he frequently practices it on the streets.

—Miss Block, sister of our enterprising townsman, Mr. Frank Block has returned home, after several weeks' stay in Atlanta.

—Miss Gussie King has returned to Athens, to the regret of her many friends in Atlanta.

—P. Q. R. looks as mournful as a graveyard by moonlight, since certain young lady visitors left the city.

—About a dozen handsome girls will make their debut into Atlanta society as soon as the next class graduates from the girls' high school.

—Miss Annie Camp, of Marietta did not receive in Atlanta on new years' as was expected, much to the disappointment of her many friends here.

—At the wedding of Miss Adele Jackson, in New Orleans, Mr J L McCleskey and Mr F J Brewer, both well known in Atlanta, were attendants.

—Miss Agnes Herndon, who appeared at De Give's opera house Monday night, is Mrs J. A. Jessel, and has an elegant stage wardrobe.

—Several of our young men are sad over the rumor that an Augusta belle who visited Atlanta last summer is soon to be married.

—Some of our gentlemen who visited all day New Year's say that they felt during the day as if they were drinking champagne, smiling tube roses and inhaling laughing gas.

—Miss ——, who lives something south of east in the city, has shot a young gentleman, from down on the Georgia railroad, through his ear with her lone song.

—Carroll County Times: Mr. Ed win Kingsberry, connected with the large and popular house of Moore, Marsh & Co., Atlanta, has been over spending a few days with friends. Mr. K is a good business man, and we expect some of these days to number him among the big merchants of the thriving and progressive Gate City.

—The Cartersville Express, in speaking of Mrs E S Kendrick, says: The fair bride has scores of friends and admirers in this city won by her charming manners and her sweet voice in song. May her joyous spirit never be dimmed by adversity, or her dearest ambition fall of accomplishment, but through all the vicissitudes of life may the bright star of hope in heaven shine forth with a consoling power and guide them both onward and upward.

—Cartersville Express: At the Barlow house, Mrs Fuqua, of Atlanta, assisted by Miss Nellie Ward, of Cedartown, and Mrs Thomas, welcomed and received in the most gracious manner a number of friends. After dispensing delicious cake and choice wines, Mrs F announced that the occasion was not a fashionable New Year's reception, but that each guest was invited to be seated and have a good social time. This invitation the visitors accepted, and for an hour or more were entertained by the brilliant speeches and witticisms of the ladies. Mrs F has been spending several weeks in our city and has won a host of friends and admirers by her elegance of bearing and her brilliant musical attainments.

MATRIMONIAL.

—The following license were issued during the week past our gallant ordinary, Judge Pittman:

WHITES.

D H DuPerow and Miss Katie Francis Davis.
Rufus M Nix and Juliet Carr.
John Long and Elnora Little.

COLORED.

Washington Bedendon and Dora Crawford.
Joe McCants and Rosseta Todd.
John England and Mary Allen.

—Elegant invitations are out to the marriage of one of our prominent young lawyers to an Augusta beauty. The happy event will occur next Wednesday evening at 9 o'clock. Several Atlanta gentlemen will go down with the groom.

—It is rumored that an Atlanta widower of forty-five will step off on the 15th instant.

—There is no more pathetic illustration of the folly of human hope than the action of the young man who marries on $50 a month.

—It is becoming quite stylish for married men to go into society as much as they did before contracting any tangling alliances

—A marriage in high life will occur at St. Philips this afternoon.

—Columbus seems to be the place for marrying. Girls or money must be very plentiful in that region.

—We have not had a genuine elopement in Atlanta in two years. Has the romance of matrimony perished?

—Divorces are not so frequent as they were a few years ago.

—Furniture men call big rockers "engagement chairs."

—There were one dozen stylish weddings in Atlanta during the month of December. 'twas ever thus.

GENERAL ITEMS.

—It is in fashion now to have the orange blossoms for bridal dresses perfumed with the essence of the flower.

—Bunches of orange blossoms are placed on the instep of the satin shoes now by brides.

—Fashionable ladies wear white lace mittens, instead of kid gloves, for evening; they afford an opportunity for a fine display of rings.

—In Paris, just now, a cloth made from the down of birds is coming greatly into favor. It is water proof, and is estimated to be five times lighter and three times warmer than wool. But we do not know who to tell the ladies to order it from.

—There is a general regret that tied backs are going out of fashion, though we have seen some ladies who have never learned to pull them back with the symmetry equal to the fluting of a Corinthian column.

—New Year's day was prolific of numerous incidents amusing and pathetic. One young lady was heard to hum the following lament, when it seem as if she were not going to receive her due share of adoration:

"They come not 'nbugh," she said;
'And the day is passing drearily;
I've had twenty callers merely,
And That Thing a hundred nearly;
And I wish that I were dead!"

—The German club still flourishes.

—Elegant toilettes are being arranged or the Rex ball, which comes of next Wednesday night.

—Spring fashions will be decidedly flashy.

—The young men's masquerade has been postponed. It will be a rare social treat when it does come off.

—The local editor of the Macon Telegraph is always the center of sixteen year old admiration at church festivals.

—Louise Pomeroy is a "grass widow."

—On the last night of the old year the Irving Club had a meeting of extraordinary interest at the residence of Major A Leyden. The regular literary exercises were had, and then a dance was enjoyed. At 11 o'clock the graceful hostess invited the company to enjoy a feast of steaming oysters and other good things. After this pleasure the young folks met in the parlor to watch out the old year and to welcome its successor. The occasion was one of due solemnity. Just before 12 a member of the club read Tennyson's beautiful poem "Ring out the old, ring in the new." And when the hands paused at the last dying breath of the old year it was solemnly tolled out by the president's bell, and a light hearted member jumped up and exclaimed "Happy New Year!" Congratulations were exchanged and the party dispersed in the best spirits.

—The Albany News thus speaks of an Atlanta young lady now in that city: Miss Stella Wright, of Atlanta, returned to her home in West Point, Atlanta, on Thursday morning last, after a short visit to the family of her brother-in-law, Mr. W. B Lowe & Co's clothing house.

THE OLD AND THE NEW

INAUGURATION OF NEW MEMBERS OF THE GENERAL COUNCIL.

Regular Meeting Last Night—Mayor Angier's Message.

A TREAT FROM COUNCILMAN ENGLISH.

The regular meeting of the general council last night was one of unusual interest, as it witnessed the retiring of five councilmen and one alderman, and the inauguration of their respective successors. Mayor Angier and a full board were present. After reading the minutes of the last meeting, the following business was transacted:

A resolution endorsing the purchase of the Summer Hill school property for the sum of $3,000, in five annual payments, at 7 per cent, and to authorize the payment of the first installment, was referred to the committee on public schools and the city attorney with power to act.

The following

REPORTS

were presented:

Street committee reported adverse on petition of Joseph Stricklin for damages. Adopted

Street committee reported favorable on payment to B F Thigpen for 1,110 street signs. Adopted,

Tax committee reported adverse on petition of M T Simmons and others for reassessment of property. Adopted.

Tax committee reported the matter of Moses Calhoun's petition for reassessment of property as satisfactorily arranged.

There being no further reports of committees on current business,

ANNUAL REPORTS

of committees were in order. The finance report was very full and explicit. We will present it in full in an early issue. The other committee reports were read, and were most satisfactory. They gave a clear report of all the public transactions which have taken place in our city during a year past. All of these reports will be given in full, and hence we make no summary or analysis of them in this issue.

After the reading of all the annual reports,

THE INAUGURATION

of the new members of the council took place. The following members retired, the term to which they were elected having transpired: Alderman McMillan; Councilmen Gramling of the first ward, Chamberlin of the second, Gray of the third, Hape of the fourth, and Biggers of the fifth.

The following members elect appeared and were sworn in by due process: Alderman H C Mitchell; Councilmen John M. Boring of the first ward, E. A. Werner of the second, W. A Hanye of the third, John H. Flynn of the fourth and B B Crew of the fifth.

After the oath of office had been taken the new members assumed the seats to which they had been elected and Mayor Angier delivered an interesting and able annual message, which will be found elsewhere.

Councilman Dallas moved that the mayor's report be adopted. The motion was put by Alderman Jones and was unanimously carried.

Mayor Angier then announced the following

STANDING COMMITTEES FOR 1878:

Finance—J W English, C K Maddox, B B Crew E A Wern r

Relief—Dr J M Boring, Ed A Werner, J M Bulce, C K Maddox, B B Crew.

Police—Ed A Wemer, J M Bulce, M E Maher

Fire Department—B B Crew, M E Maher, W E Hanye

Market—J M Bulce, M E Maher, W E Hanye,

Salaries—G J Dallas, M E Maher, J H Flynn W E Hanye, J W English

Public Schools—C K Maddox, G J Dallas, J H Flynn

Ordinances—C K Maddox, B B Crew, J W English

Sewers and drains—J H Flynn, J M Boring, J M Bulce.

Tax—G J Dallas, J H Flynn, E A Werner.

Public buildings and grounds—Ed A Werner, J H Flynn, G J Dallas.

Printing—E A Werner, B B Crew, J W English.

Wells, pumps and cisterns—J M Bulce, G J Dallas, W E Hanye.

Streets and bridges—M E Maher, C K Maddox, Ed A Werner.

Cemetery—W E Hanye, J M Boring, J M Bulce.

Lamps and gas—J H Flynn, J M Bulce, J M Boring.

After the committees were announced the following business was transacted:

PETITIONS.

Of W G Newman, to settle litigation with the city. Finance committee and city attorney.

Of J D Cameron and others, for cinders on Cane street sidewalk. Street committee.

Of Wm Smith and others, to put cistern corner of Markham and Tatnall streets. Committee on wells, pumps and cisterns.

Of Harriet Lorage, for relief. Relief committee.

Of Lawson Black, for proper numbering of Spring street. Street committee.

Of Matt Johnson and P Crockett for retail liquor license. Referred to police committee.

A resolution was introduced to the effect that the street railroad company be required to keep the side of the Nelson street bridge used by them in order so long as they continue to use it. Passed.

Council then adjourned, and on invitation of Councilman English repaired to the restaurant of Folsom & Tye, where a magnificent collation was enjoyed, and an evening of rare pleasure was spent. The meeting was one of the most pleasant ever held by any Atlanta city council, and the generosity of the jovial host was richly enjoyed by all present

LOCAL AND DRAMATIC DOTS.

—Fanny Davenport, the most charming actress in America, will appear here in "Pique" on the 15th. One night only.

—Mrs. Chanfrau, who will appear at DeGive's opera house on the 18th and 19th, is one of the best Juliets in America.

—Louise Pomeroy will have fine houses both nights. Sale of seats has opened lively.

—Cal Wagner is coming back.

—Agnes Herndon at the opera house again to night in her fine impersonations.

FACT AND RUMOR.

—The coldest snap of winter is upon us.

—The new members of the general council were inaugurated last night.

—Mayor Angier's annual message is found in another column.

—Come out and see Miss Herndon at the opera house this evening.

—A big excursion to Jacksonville and Mellonville, Fla., will leave the city in a few days

—The public schools opened very finely yesterday.

—Lent begins much later than usual this year.

—There are thousands of yards of illustrated paper on the bill boards of Atlanta.

—Several of our ministers touched on the subject of hell last Sunday.

—Miss McCandless of this city is one of the most accomplished musicians in the state.

—The city will be full of strangers to-morrow. We may look for jolly times.

—Call when you will at Lynch & Thornton's book store, you always find them busy. Courtesy and bottom prices have made them what they deserve to be, popular.

—This is the time when the human ear gets as crisp as a wafer in the early morning breezes.

—Remember the poor when you sit by a good fire and enjoy the comforts of your home.

—Some of the recent snow still lingers in secluded crevices and cracks.

—The bar keeper has turned over a new leaf. He now demands cash on delivery.

—Be sure and see Miss Herndon to-night. The best reader in Atlanta for years.

—Don't fail to see Miss Herndon to-night.

—Misses Trammell, of Griffin, are now on a visit to the city, and are stopping at Col. A. C. Wyly's, on Washington street.

—See rent column for a fine opportunity to rent an elegant house at a very reasonable rate to a good tenant.

—We learn that all the roads will give half fare to Atlanta on to morrow. The Central road will sell one fare tickets on the 8th and 9th good until the 10th inclusive.

—There will be a regular meeting of the Beethoven society to-night at which a full attendance is desired

As will be seen by reference to the card of J. L. Winter & Co., in another column, it will be seen that they have resumed business. They have been closed for a short time, but are now ready to wait on their customers with renewed energy and promptness. Give them a call.

California Pears.

If you want a box fresh California Pears, go to Felix Corput's ice House.
179 jan8 d1t.

On Sunday morning at 10:30 o'clock, Mr. Jno. Long, of Clayton county, was united in marriage to Miss Leonore Little. The ceremony was performed at the residence of Mr. W. A Belk, in the country, Esquire Green officiating. The happy couple, after a sumptuous dinner, departed for home. We wish them much joy, and trust that their troubles will be "little" ones, and that they will live "long" and be happy.

"Man wants but little here below,
But wants that Little Long."

German Masquerade.

The annual masquerade of the Atlanta Turn Verein will come off at their hall on Monday the 14th inst. Only a limited number of tickets will be sold. Those receiving invitations *only* may purchase them either at Beermann & Kehr's store or at the Roseting Room. These masquerade balls are justly celebrated and the committee having the arrangements in charge are endeavoring to excell even those of former years.

FULL DRESS BALL.

Fun at the Kimball House.

To-morrow night a number of the leading young men in the city propose to give a full dress ball at the Kimball house. They do not mean, as they say, to antagonize the grand Rex ball at all, but as the night will be one of general festivity in the city they think that one ball will not be enough for the general enjoyment which is anticipated. They therefore desire not to be considered as in the least degree antagonistic to the interests of the Rex ball, but would be most heartily rejoiced to see that a success. The invitations to the Kimball house ball have been issued. They are very neat and tasty. All who receive invitations will be most welcome to the festivities and privileges of the occasion. No tickets will be sold. An elegant band has been engaged and all preparations have been made to make the ball everything that could be wished in the way of elegance and facilities of enjoyment.

To Publishers.

A printer, competent to take charge of an office, desires a situation on a country weekly, and, if agreeable, will purchase an interest in same. Address "Printer," care CONSTITUTION.

To the Business Men of Atlanta

The undersigned, as one of the citizens of Elbert county appointed to visit Atlanta to solicit aid in behalf of the railroad from Elberton to Toccoa, shortly to be completed, respectfully asks that the present and prospective claims of his people be duly considered. For a long time Atlanta has commanded a large portion of the trade of this section, and with this road in operation would obtain it all. There would be no competing city this side of New York, which your practical business energy would permit to interfere. The favor with which Elbert regards Atlanta was fully demonstrated in the late election by a vote of 3,341 out of a total of 1,540 votes in favor of a permanent establishment of the capital in your city, and whenever Atlanta's interests are involved, our people stand ready to come to the rescue. In asking aid from you for the completion of this important railroad enterprise, we only ask an investment, which will repay you an hundred fold.

Give the subject your earnest consideration, contribute liberally of your means, and we feel assured that the whole of this year's crop of cotton will exhibit our appreciation of your help in this our time of need.
J. O. SANDERS.

Musical Soiree.

Saturday night a fine audience assembled in the hall corner of Whitehall and Peters sts, to enjoy the musical soiree given by Miss L. R. McCandless to her friends and patrons. The following programme was presented:

Mignon—F. Spider, Miss Lizzie Norris.
Barbier de Leville—F. Beyer, Miss Lizzie Patillo.
Valse Styrienne—H. A. Wallenhaupt, Miss Fannie Freeman.
Danse des Fees—A. P. Wyman, Miss Tiny Hammond.
Bird Carol with flute obligato—J. Knapp, Miss India Cokrer and Mr. J. S hane.
Anna Polka—Ch. Noss Miss Lula Snook.
Gallop de Concert—Eugene Kettrer, Miss Mary Roach.
Mexican Dance—G. D. Wilson, Miss Annie Lawshe.
La Gallina—L. M. Gottschalk, Miss India Coker and Miss McCandless.
Martha—S. Smith; Miss Eugenia Gilbert.
Polka Brillante—F. Spider, Miss Dedie Forecare.
Embarrassment—Song—F. Abt, Miss India Coker.
Blue Danube—Strauss, Miss Gertrude Hanby.
Valse de Concert—Duett—Tito Mattei Miss Mary Roach and Miss McCandless.
Careless Elegance—A. Wood, Miss Pauline Romare.

Of every performance we might make very complimentary remarks. Miss McCandless is one of the most accomplished musicians in the state, and as a teacher, she has been singularly successful. Her large school gives fine evidence of her skill and care. The patrons present last night were more than satisfied. We heard various high compliments to the excellence of the entertainment.

After the performance of the pupils who made the best records were awarded beautiful books as prizes. The gold medal for the best record was awarded to Miss Lula Snook, who has not had a single bad mark, and has made a beautiful record. The prizes were presented by F. H. Richardson, of THE CONSTITUTION. The pupils will preserve happy memories of the pleasures of last evening, and the kindness of their teacher

Rex Ball Tickets.

Quite a number of tickets to the Rex Ball have been sold. As only a limited number of tickets will be sold all who have received invitations should call at once and secure their tickets. The management feel sure that the ball will be one of the best ever given in Atlanta patronize for which W. B Lowe & Co's clothing house is famous.

Who is He?

From the Washington Post we clip the following item which may be of interest to some of our readers. Who can the Georgia lawyer referred to be? The post gives the following account of a savage arrest:

"Christmas day a well known Georgia lawyer, a practitioner before the departments and congressional committees, having had a convivial time with his friends, was arrested by a police officer near Willard's hotel, who applied his club in a cruel manner to the gentleman's head, inflicting injuries that will probably prove fatal. Two physicians are in constant attendance, and they declare the blow on his head is the cause of his illness. The day after Christmas the gentleman in question found his self minus gold buttons, pocket book, etc. An explanation is in order why he was thus cruelly and savagely dealt with."

Emma Baily and Emma Colby are billed to run a foot race in Virginia City. "This will be, we suppose," remarks the St. Louis Journal, "what the printers call a two-em dash." And the two Ems are what the printers would call a "bold face type" of girls.—Norristown Herald. Yes; girls of the period.—Sav. Times. The fact is, such girls need regi ting; their forms should be locked up at once and put to press.—ATLANTA CONSTITUTION.

NO HOUSEHOLD IS COMPLETE ly equipped till its kitchen is supplied with DOOLEY'S YEAST POWDER, known the country over as the *chef d'oeuvre* of baking powders. It is made of the purest cream-tartar, so difficult to get even at the druggist's, and it makes the products of baking surpassingly good.

We witnessed quite a pleasant occurrence New Year's night at Garner's double daily eating house, Buford. While at supper the conductors of the passenger trains summoned T. S. Garner before them in the dining room, when the Rev Brecker, of Chattenooga in behalf of the conductors and other friends, presented him with a handsome suit of clothes, completely taking him by surprise. Mr. Garner, ever ready with wit and humor, thanked them with a few but appropriate remarks. He keeps the best eating house on the Air-Line road and the conductors have shown by this handsome present their high appreciation of his excellent fare and hospitable treatment.
159 jan5 d1t PASENGER.

ATLANTA, GA., Jan. 5, 1878.

Dear Sir: After a few days financial embarrassment, we are happy to say all matters have been amicably adjusted, and we have resumed business, and solicit a share of your orders.

We have a well selected stock of all goods in our line, and are prepared to meet any competition, where quality and prices are considered. An agent will call on you very shortly. Thanking you for past favors, and hoping for a continuance of the same.

Yours respectfully,
172 jan8 d1t J. L. WINTER & CO.

New Departure.

Smith Clayton's lecture, "Closer-to-my Bosom Come," will come off on next Monday night, without fail.

25 cents will by one quart of Oysters at Felix Corput's Ice House, near National hotel. 179 jan8 d1t

A Skillful Optician.

Some weeks ago, Dr. Alexander Fox, from the Imperial Institute of St. Petersburg, Russia, came to our city. He brought with him letters of high recommendation as a skillful and thoroughly scientific optician. Since his arrival in our city he has sold hundreds of his tinted crystal spectacles, and he now has the very highest evidence that every pair has given the most perfect satisfaction. He has already published the certificates of such men as Senator Gordon, Governor Colquitt, Mayor Angier, and others equally well known, that his glasses are everything that could be desired. He is enabled by his superior skill in the science of optics to fit glasses so that they will be absolutely perfect aids to defective vistons. His stock is so large and so well assorted that it contains everything that can be wanted in the way of spectacles and all styles from the plainest to the most costly. The doctor has established himself in our city and intends to make this his permanent home. He may be consulted at the Markham house, where his beautiful assortment of glasses may be seen. If you are troubled with weak or defective sight, call and consult him at once.

—People of all classes will acknowledge that in this world much depends upon our financial condition, yet not many wisely reflect that our financial condition depends upon our physical. Yet it is even so, for who can labor without health, and who can accumulate money without labor? Hence, the importance of using Cousens' Compound Honey of Tar, which is a sure cure for Coughs, Colds, and all diseases of the Throat and Lungs. Remember you can get a bottle of Compound Honey of Tar for 50 cents.

E. M. Berry and Collier & Co., Agents Atlanta.
41 apr25 d eowly & weowly 1

—How sad that in our daily life we neglect so many things necessary to our being. The man of business with an eye only to his credit in the financial world, the individual delegant leisure whose only aim is to array himself to the best advantage, the young lady who idly listening to spring's divine harmonies, feels not the approach of disease in the feeling of languor which possesses her—all alike surrender too easily to the advance-guard of disease, when, by a judicious investment in Portaline, or Tabler's Vegetable Liver Powder, a long array of ills is put to rout. Buy Portaline, or Tabler's Vegetable Liver Powder, and rid yourself of disorders arising from a torpid liver.

E. M. Berry and Collier & Co., Agents in Atlanta.
41 apr25...deowlw & weowly 1

"German Syrup."

No other medicine in the world was ever given such a test of its curative qualities as Boerhave's German Syrup. In three years two million four hundred thousand small bottles of this medicine were distributed *free of charge* by druggists in this country to those afflicted with Consumption, Asthma, Croup, severe Coughs, Pneumonia and other diseases of the Throat and Lungs, giving the American people undeniable proof that German Syrup will cure them. The result has been that Druggists in every town and village in the United States are recommending it to their customers. Go to your Druggist, ask what they know about it. Sample Bottles 10 cents. Regular size 75 cents. Three doses will relieve any case.
349 apr22...deo'd & weowtf

(By Telegraph.)

Weather Predictions.

Indications for Tuesday in the South Atlantic and Gulf States, falling barometer, southeast to northeast winds

FINANCIAL.

CONSTITUTION OFFICE,
Atlanta Jan 7, 1878.

Atlanta Money Market.

GOLD—
Buying.....101¼ | Selling.....102¼
EXCHANGE—
Buying at.....par | Selling.....¼ prem
BONDS.

Georgia 6s.....	99@100	Atlanta City 8s..	95@100
Georgia 7s.....	106@107	Atlanta 10s.....	110@113
Georgia 7s gold.	106@107	Georgia 8s.....	85@ 90
Georgia 8s.....	103@113	Savannah City..	80@ 90
Atlanta Water..	88@ 92	Macon City.....	73@ 75
Atlanta City 7s.	88@ 92	Ga. R. R. 7s.....	104@107
Western R R of Ala. 1st m'tge	97@100	Ga. R. R. 6s.....	99@101
Western R R of Ala. 2d m'tge, endorsed by Ga. & Cent. R R	97@100	A. & W. P. R. R..	110@113
Mont. & W P RR 1st mortgage.	98@100	Central R. R. 7s..	98@100
		So. West. RR 7s.	98@100
		M. & W. R. R. 7s.	98@100
		W. & A. R. R Leases, 10 per ct income bonds	95@100
		South Wes R.R. 7s	89 @ 92
		Atlanta St'tRR	99@100

BY TELEGRAPH.

NEW YORK, January 7.—*Noon*—Stocks firm. Money 6. Gold 109¾. Exchange—long $4 82; short $4 85¼. Governments ½@¾ higher. State Bonds steady.

NEW YORK, January 7—*Evening.*—Money easier at 6 Sterling dull at 2. Gold inactive at 10⅜. Governments steady; new fives 5⅝. State Bonds dull.

Stocks firm and higher.

N. Y. Central	106¼	Pittsburg	76¼
Erie	7⅞	Chicago & N. W.	67
Lake Shore	83¾	Preferred	85
Illinois Central	74	Rock Island	100¾

Sub-treasury balances:
Gold.....$100,935,117 Currency...$34,929 630
Sub-treasury payments:
Interest.....$418,400 Bonds.....$818,400
Customs receipts to-day $401,000

LONDON, January 7—Three months bills open at 3 per cent, which is 1 per cent below bank rates.

HAVANA, January 7.—Spanish gold 223¼@224 Exchanges firm on United States 60 days currency 8¾@9¾ premium; short sight do. 4@5 premium; 60 days gold 5¼@5¾ prem; short sight do. 6¾@7 prem.

COMMERCIAL.

CONSTITUTION OFFICE,
Atlanta Jan 7, 1878

Atlanta Cotton Market.

Cotton quiet and easy.

Middlings	10
Low Middlings	9¾
Good Ordinary	9¼
Ordinary	8¼@8¾

STAINS.

Middlings	9¾
Low Middlings	9
Good Ordinary	8¼
Ordinary and Inferior	8@8¼

RECEIPTS TO-DAY.

By wagon	32
Air-Line Railroad	29
Georgia Railroad	42
Central Railroad	15

Western and Atlantic Railroad..... 3
West Point Railroad..... 20
Total 146
Receipts previous to-day..... 77,953
Total..... 78,099
Stock on hand September 1, 1877..... 222
Grand total 78,322

SHIPMENTS.

Shipments to-day	125
Shipments previously	61,787
Total	61,912
Stock on hand	16,410

Atlanta Comparative Statement.

Receipts to-day	146
Corresponding day last year	1 092
Decrease	886
Receipts from Sept. 1, 1877 to date	78,322
Corresponding period last year	77,380
Decrease	58

BY TELEGRAPH

LIVERPOOL, January 7.—*Noon*—Cotton in moderate inquiry; freely supplied; middling uplands 6⅝; middling Orleans 6 9-16; sales 10,000 bales; speculation and export 1,000; receipts 6,900; all American; futures rather 1-32 decline; middling uplands nothing below low middlings Jan ary delivery 6 9-32@6⅝; January and February delivery 6⅝; February and March delivery 6 9 32@6¼; April and May delivery 6 5-16. June and July delivery 6⅝; new crop shipped in December per sail 6 9 32.

LIVERPOOL, January 7—2:00 P M.—Middling uplands nothing below low middlings March and April delivery 6⅜; April and May delivery 6 9-32; May and June delivery 6 9-32; shipped in February and March per sail 6 11-32; March and April per sail 6⅝.

LIVERPOOL, January 7.—5:00 P. M.—Cotton sales include 7 750 bales American; futures dull; middling uplands nothing below low middlings May and June delivery 6 5-16.

NEW YORK, January 7—*Noon.*—Cotton quiet; middling uplands 11¾; Orleans 11⅝; sales 144 bales; futures quiet and barely steady

January	11 17@11 19	March	11 43@11 44
February	11 30@11 31	April	11 54@11 56

NEW YORK, January 7—*Evening.*—Cotton quiet and steady; uplands 11¾; Orleans 11⅝; sales 837 bales; consolidated net receipts 51,823 bales; exports to Great Britain 55,445; France 5,740; continent 9,429; net receipts to-day 1,769; gross 15,076; futures closed quiet and steady; sales 38,000 bales:

January	11 78@11 19	May	11 69@11 70
February	11 31@11 32	June	11 81@11 82
March	11 44@11 45	July	11 93 @11 99
April	11 56@11 57	August	11 96@11 97

GALVESTON, January 7—Cotton dull; middlings 10¾; net receipts 3,576 bales; sales 1,050; exports constwise 1,408

NEW ORLEANS, January 7.—Cotton weak; middlings 10¾; low middlings 10¾; good ordinary 9⅝; net receipts 12,849 bales; gross 14,649; sales 6 000; exports to Great Britain 16,0 0; France 696; continent 3,112 coastwise 3,215.

MOBILE, January 7—Cotton quiet; good demand; middlings 10¾; net receipts 3,089 bales; sales 2,500; exports to continent 864; coastwise 641 bales.

SAVANNAH, January 7.—Cotton weaker; mid dlings 10¾; net receipts 2,997 bales; gross 3,087; sales 1,000; exports coastwise 731.

CHARLESTON, January 7.—Cotton dull; middlings 10¾@11; net receipts 1,7 0 bales; sales 1,000; exports to Great Britain 3,5 9; continent 2,4 0; coastwise 1,733.

WILMINGTON, January 7.—Cotton quiet; middlings 10¾; net receipts 343 bales; sales 91; exports coastwise 410

NORFOLK, January 7—Cotton quiet; middlings 10¾@11; net receipts 5 277 bales; sales 266; exports to Great Britain 7 846; coastwise 5,674

BALTIMORE, January 7.—Cotton quiet; middlings 11¾; gross receipts 2,012 bales; sales 175; exports coastwise 800; sales to spinners 105.

BOSTON, January 7.—Cotton dull; middlings 11¾; net receipts 250 bales; gross 2,653.

PHILADELPHIA, January 7.—Cotton quiet; middlings 11¾; net receipts 468 bales; gross 707; sales 327.

MEMPHIS, January 7—Cotton quiet; middlings 10¾; net receipts 1,805 bales; shipments 3,595, sales 2,800.

AUGUSTA, January 7.—Cotton quiet; middlings 10¾; net receipts 547 bales; sales 31.

BY TELEGRAPH.

NEW YORK, January 7.—Flour strongly in buyer's favor; light trade for export and home use; superfine western and state $4 85@5 10; common to fair extra $5 50@5 90; good to choice extra $5 95@6 25. Wheat about ½c lower; moderate export demand; high milling inquiry; poor ungraded winter red $1 38¾. Corn about ½c lower; light trade for export and home use; ungraded new western mixed 55@58; new high mixed 59¾; white southern 59¾. Oats fair and moderately active. Coffee, Rio dull and unchanged. Sugar quiet and unchanged; refined steady; fair demand; standard A 9¾. Molasses dull without material change. Rice quiet and steady. Petroleum dull and lower; refined 12½; Pork without material change; cil ing scarcely so firm; mess $12 2 @$12 50. Lard more steady; closing scarcely so firm; prime steam 7 95@7 97½; whisky dull and nominal at $1 09. Freights quiet and steady.

CHICAGO, January 7.—Flour dull and unchanged. Wheat in fair demand and lower; No. 1 Chicago spring $1 09; No. 2 Chicago spring $1 07½@$1 08 cash and January; February $1 03¾; March $1 09¾. Corn dull and lower; cash and January 42¾; February 41⅝@41¾. Oats dull and a shade lower; cash 24¾; February 24¾. Rye steady and in fair demand at 56¾. Barley steady and firm at 57¾. Pork in fair demand and firm cash $11 25. Lard fairly active and a shade higher; cash 7 40; February 7 45; March 7 57. Bulk Meats quiet and unchanged. Whisky $1 05.

Receipts—Flour 9,000; Wheat 41,000; Corn 20,0 0; Oats 11,000; Rye 1,590; Barley 6,000.

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